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RECORDS OF THE CAPE COLONY

From DECEMBER 1799 to MAY 1801.

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BY
GEORGE McCALL THEAL, LL.D.,
COLONIAL HISTORIOGRAPHER.

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RECORDS OF THE CAPE COLONY.

[Original.]

Letter from SIR GEORGE YONGE *to the* RIGHT HONOURABLE
HENRY DUNDAS.

CAPE TOWN, Thursday, December 12th 1799.

SIR,—I take the opportunity of a Packet being ready to sail tomorrow for St. Helena to send this, for the chance of its being forwarded to England, just to announce to you our arrival at this Place on Monday last the 9th Instant.

I have not yet seen Major General Dundas, as he is detained in the Country on Business, but I have found a Letter which he left for me, from whence I have reason to hope the Business he is upon will not detain him much longer, and as there will be another Opportunity of sending to England in about a Fortnight, and I shall by that time have been able to confer fully with him, I chuse to defer all other matters till that time, except mentioning the anxious and earnest manner in which he presses for the arrival of the Reinforcement of Troops so long promised, and I must beg leave to add my most earnest Representations to his on the Subject.

As to everything else, I am happy to say I find all things as well as I could expect, and the Revenues I understand are gradually improving. But on this and all other matters I shall have an opportunity of touching fully in my next Dispatch.

I have &c.

(Signed) GEO. YONGE.

[Copy.]

PROCLAMATION

By His Excellency SIR GEORGE YONGE, Baronet, Knight of the most Honorable Order of the Bath, One of His Majesty's most Honorable Privy Council, Governor and Commander in Chief of His Majesty's Castle, Town & Settlement of the Cape of Good Hope in South Africa and of the Territories & Dependencies thereof, and Ordinary & Vice Admiral of the same.

Whereas His Majesty by Letters Patent bearing date at Westminster the Sixth day of April One thousand seven hundred and Ninety nine has been graciously pleased to nominate and appoint me Governor & Commander in Chief of this Colony with the Territories & Dependencies thereof, I do therefore by virtue of these Presents, as the lawful Representative of His Majesty George the third, King of Great Britain, France and Ireland, &c., &c., &c., and Sovereign of this Settlement, in His Majesty's name command and require of all and every one of the Inhabitants of this Colony to renew, as is customary under all changes of Governors, their Oath of Allegiance and Fidelity, on the days and in the manner hereafter prescribed, viz.—

All Persons holding any place of Trust within the said Settlement are hereby called upon and required to take and subscribe the proper Oaths which qualify them for the same, that is to say, those within the Cape Town on the 24th day of this present month of December, in the Castle of Good Hope in my presence, all other Inhabitants of the Cape Town and the District thereof from the Date of these presents till the 1st February 1800 in the Castle of Good Hope, between the hours of from ten to twelve O'clock in the presence of the Secretary of the Colony.

Those within the District of Stellenbosch, Paarl & Drakenstein, &c., before the Landrost and Heemraden at the Drostdy on such days as shall be appointed by the said Landrost.

Those of Swellendam and of Graaff Reinet, before their several Landrosts and Magistrates, in such manner as shall be prescribed, and at such times as shall be fixed and made known to them by their respective Magistrates.

And to prevent any doubt which might take place on this head, it is hereby declared that all Persons whatever having permission, and continuing to reside in this Colony and thereby to enjoy His Majesty's protection, who shall have attained their sixteenth year, are hereby called upon and required to take and subscribe the aforesaid Oath of Allegiance and Fidelity. And further as it may sometimes happen that women may be considered as the heads of Families, although they do not individually take the Oath hereby required, yet nevertheless they are to be considered as having virtually acceded thereto, and will be liable to all Penalties attached to the Crime of Treason, in case of any act being committed contrary to the allegiance they have sworn or acceded to.

Given under my Hand and Seal at the Castle of Good Hope this 18th day of December 1799.

(Signed) GEO. YONGE.

[Copy.]

PROCLAMATION

By MAJOR GENERAL DUNDAS.

Whereas some further arrangements are still necessary to be made in order to restore the Inhabitants of Zwellendam & Graaff Reinet to a state of perfect security and lasting peace, as well as for establishing upon a secure foundation the general tranquillity of such parts of the Colony as have been recently disturbed, His Honor the Lieutenant Governor has judged it expedient, in consequence of his own presence being become indispensably necessary at Cape Town, to nominate and appoint during his absence H. C. D. Maynier, Esqre., to be Resident Commissioner and superintendent of public affairs within the forementioned Districts of Zwellendam & Graaff Reinet, he the said H. C. D. Maynier being invested by virtue of this proclamation with power & authority to issue such orders & directions as may appear requisite for the good Government of the said Districts & for the proper

administration of Justice therein, & all persons Civil & Military His Britannic Majesty's subjects are hereby required severally and respectively to obey the said Maynier, whose orders shall be of the same validity or Force as those issued by the Lieutenant Governor himself.

Given under my Hand this 25th day of December Anno Domini 1799.

(Signed) F. DUNDAS.

[Original.]

Letter from VICE ADMIRAL CURTIS to EVAN NEPEAN, ESQRE.

*Lancaster IN TABLE BAY
CAPE OF GOOD HOPE, 28th December 1799.*

SIR,—Since my Letter of the 11th instant I have thoroughly inspected such of the Naval Buildings as remain, and except the Mast House they are in a most ruinous condition. The Report of a Survey of them has by the Naval Storekeeper been sent to the Navy Board, and probably to their Lordships also by Captain Boyles; and I believe the Report of Survey to be perfectly just, I understand all the Buildings referred to above were condemned by the Dutch Twelve years ago. The Walls of the Buildings are made after the manner generally adopted here, which is, that as Lime is extremely dear, they substitute moistened earth in the place of Mortar, and the preservation of the Walls so constructed is by plaistering them over to keep out the rain, so that when the plaistering is damaged, the substitute they use for Mortar washes out, and the Wet getting to the Bricks, which are ill burnt, and in all respects of a very bad quality, the materials of the Walls become rotten. This is the state of the Walling, but props are placed where they can be useful. The Roofs are kept tight, and the Rafters have shores under them to support. Some outside Plaistering I have ordered to be applied where it was required, which I shall continue to do as occasion may require, and particularly before the next rainy Season sets in, that no more of those Buildings which do remain may fall, if it is possible to

prevent it. Nothing more can be done to preserve them than what I have mentioned, for as to any effectual Repair, they are for the reasons before assigned totally incapable of it. And the erecting New Buildings, even on a Plan of no more extent than when the place fell into our hands, would at all times cost a great sum of Money, but in the present state of things the expence would be immense. I hope therefore (though I cannot promise it) that we shall be able to struggle on, until the time arrives when it shall finally be determined what establishments must be made at the Cape of Good Hope.

I mentioned in my Letter of the 11th instant that the Naval Yard was on the open Beach, without any kind of enclosure, and accessible to all manner of Persons, and that therefore by Theft, and various other ways, His Majesty's Service exceedingly suffered. The Officers of the Yard have made a representation to me thereupon; and agreeing with them entirely in opinion, I mean as soon as other works will admit, to set up Pallisades so as to obviate the mischief to the Service which the Yard Officers have so properly pointed out, and I hope the measure will meet their Lordships approbation. I am &c.

(Signed) ROGER CURTIS.

[Original.]

*Letter from the Consistory of the Lutheran Church in Capetown to
SIR GEORGE YONGE.*

HOOG EDELE GESTRENGE HEER! — Nadien het Uw Excell. goedgunstig heeft behaagd aan ons te communiceeren onderscheidene Papieren betreffende de beroeping van een Predikant voor onze Gemeente ter opvolginge van wijlen den Eerw. Heer Kolver; zo hebben wij de Eer daarop te zeggen, dat wij ons ten uitersten verplicht gevoelen over de moeite die Uw Excell. de bijzondere Goedheid heeft gehad ten voorsz. opzichte voor onze Gemeente te neemen, en dat wij geen oogenblik zouden hesiteeren de Propositie van een Predikant uit Hanover te beroepen dankbaarlijk te adopteeren, zo wij niet alle reden hadden te verwagten

dat de door ons reeds beroepene Eerw. Heer Griesenbeek, van Utrecht, ons beroep aanneemen en in staat weezen zal de nodige bewijzen omtrent deszelfs Character aan den Heer Secretaris van Staat Dundas te produceeren.

Uit welken hoofde het dus niet voor ons raadzaam is voor als nog een ander Predikant te beroepen, als bijzondere zorg dienende te dragen dat wij niet door eenige overhaastinge Twee Predikanten bekomen die ons Fonds niet zoude toelaaten te salarieeren.

Wij neemen derhalven de vrijheid Uw Excell. te verzoeken omme aan ons, met betrekking tot eenige verdere declaratie omtrent eenig Predikant uit Hanover zo lang uitstel te willen verleenen tot dat wij zekerheid hebben erlangd dat wij onze voorsz. naar Holland verzondene Brieven geen Predikant van daar te verwagten is, te meer omdat door zijne Edelheid den Heer Luit. Gouverneur aan ons vergund is geworden den Eerw. Heer Haas, die in deszelfs passagie uit India naar Europa alhier in Januarij l.l. aanlandde en thans als Predikant bij onze Gemeente met wederzijdsch Genoegen, dog in het hoog duitsch, fungeert, zo lange alhier aan te houden tot dat een ander Predikant, de hollandsche Taal magtig, uit Europa aankomen zal.

Wij hebben de eer aan Uw Excell alle heil en een voorspoedige Regeering toe te wenschen, ons en onze Gemeente in Hoogdeszelfs vernoegen en Protectie te recommandeeren, en met diepsten Eerbied te zijn &c.

(Geteekend)

C. MATTHIESSEN, president,
J. G. MADER,
C. F. GERMAN,
J. C. LOOS,
C. G. HÖHNE,
S. LEIBBRANDT.

CABO DE GOEDE HOOP, den 28 Dec. 1799.

[Copy.]

*List of Ships' Arrivals at the Cape from 1 April to
31 December 1799.*

Date.	Name.	Where from.	Nationality.
April 4 . . .	<i>Rainha dos Anjos</i>	Rio Janeiro	Portuguese
" 22 . . .	<i>Henriette</i>	China	Danish
" 23 . . .	<i>Crown Princess</i>	Copenhagen	Do.
" 28 . . .	<i>Triton</i>	Madras	English
May 3 . . .	<i>Barnwell</i>	China	Do.
" 3 . . .	<i>Cornwallis</i>	Madras	Do.
" 18 . . .	<i>Georgina</i>	St. Helena	Do.
" 21 . . .	<i>Fanny</i>	Portsmouth	Do.
" 26 . . .	<i>London</i>	England	Do.
" 30 . . .	<i>Roebuck</i>	Lisbon	American
" 31 . . .	<i>L' Ambuscade</i>	Bourbon	French
June 12 . . .	<i>Young Nicholas</i>	England	English
" 15 . . .	<i>Charlotte</i>	Copenhagen	Danish
" 17 . . .	<i>Three Brothers</i>	Burdieux	Prussian
" 18 . . .	<i>Christina</i>	Bengal	Hamburg
" 18 . . .	<i>Winthrop and Mary</i>	Do.	American
" 23 . . .	<i>Louisa</i>	Bombay	English
" 23 . . .	<i>Neneux</i>	Isle of France	French
" 27 . . .	<i>Roeskilde</i>	Copenhagen	Danish
July 16 . . .	<i>Vinnerne</i>	Norway	Do.
Aug. 29 . . .	<i>Britannia</i>	Delagoa Bay	English
Sept. 6 . . .	<i>Thetis</i>	Bombay	Do.
" 9 . . .	<i>Asia</i>	London	Do.
" 12 . . .	<i>Britannia</i>	Fishing	Do.
" 12 . . .	<i>Britannia</i>	London	Do.
" 12 . . .	<i>Regulus</i>	Do.	Do.
" 15 . . .	<i>Betsy</i>	Batavia	American
" 20 . . .	<i>Daninbourg</i>	Copenhagen	Dane
" 20 . . .	<i>Atlantic</i>	New York	American
" 22 . . .	<i>Pensemento</i>	Rio Janeiro	Spanish
" 24 . . .	<i>Mariana</i>	Copenhagen	Danish
" 24 . . .	<i>White Eagle</i>	Do.	Do.
" 24 . . .	<i>Hope</i>	Calcutta	English
" 26 . . .	<i>Johanna</i>	Copenhagen	Danish
" 27 . . .	<i>Graaf Schemmelman</i>	Do.	Do.
Oct. 3 . . .	<i>Neponset</i>	Boston	American
" 4 . . .	<i>William and Henry</i>	Bengal	Do.
" 10 . . .	<i>Iris</i>	Madeira	Do.
" 15 . . .	<i>Cornwallis</i>	Madras	English
" 19 . . .	<i>Sierra Leone</i>	Delagoa Bay	Do.
" 19 . . .	<i>Oldenburg</i>	Copenhagen	Danish
" 25 . . .	<i>Hannah</i>	Bengal	American
" 27 . . .	<i>Princess Louisa Augusta</i>	Copenhagen	Danish
Nov. 2 . . .	<i>Anubis</i>		
" 3 . . .	<i>Upton Castle</i>		
" 6 . . .	<i>Regulus</i>		

List of Ships' Arrivals, etc.—Continued.

Date.	Name.	Where from.	Nationality.
Nov. 6 . . .	<i>Vennerne</i>		
" 10 . . .	<i>Rosea Prize</i>		
" 16 . . .	<i>Flower of the Sea</i>		
" 16 . . .	<i>Jefferson</i>		
" 17 . . .	<i>Notre Dame de Carmel</i>		
" 19 . . .	<i>Fatherland</i>	Batavia	Danish
" 24 . . .	<i>Georgina</i>	St. Helena	English
" 26 . . .	<i>Eliza</i>	Boston	American
Dec. 6 . . .	<i>Debora</i>	Copenhagen	Danish
" 7 . . .	<i>Friendship</i>	Cork	English
" 9 . . .	<i>Amelia</i>	London	Do.
" 9 . . .	<i>Pitt</i>	Do.	Do.
" 9 . . .	<i>Highland Lass</i>	Do.	Do.
" 9 . . .	<i>Houghton</i>	Do.	Do.
" 9 . . .	<i>Queen</i>	England	Do.
" 9 . . .	<i>Chesterfield</i>	Do.	Do.
" 9 . . .	<i>Rambler</i>	Do.	Do.
" 14 . . .	<i>Cutharina Anna</i>	Batavia	Hamburg
" 16 . . .	<i>Escape</i>	Bengal	English
" 24 . . .	<i>New Zealand</i>	Plettenberg's Bay	Do.
" 25 . . .	<i>Vertrouw</i>	Do.	Do.
" 25 . . .	<i>William Young</i>	Saldanha Bay	Do.
" 25 . . .	<i>Coromandel</i>	Madras	Do.
" 25 . . .	<i>Christianus Septimus</i>	Copenhagen	Danish
" 25 . . .	<i>Africa</i>	Madagascar	French
" 26 . . .	<i>Molly</i>	Batavia	American
" 30 . . .	<i>Sir Edward Hughes</i>	Madras	English
" 30 . . .	<i>Dublin</i>	Do.	Do.
" 30 . . .	<i>Calcutta</i>	Do.	Do.

[Copy.]

PROCLAMATION

By SIR GEORGE YONGE, *Baronet, &c., &c.*

Whereas His Honor the Lieutenant Governor Major General Francis Dundas has thought proper to issue a proclamation bearing date the 25th December 1799 wherein he has nominated and appointed H. C. D. Maynier, Esqre., to be Resident Commissioner and superintendent of the public affairs of the respective Districts of Zwelldam & Graaff Reinet, as in and by the said proclamation reference thereto being had will more fully and at large appear,

saving always the usual and ordinary functions and duties of the respective existing Landdrosts of the two districts before mentioned; and whereas the said Lieutenant Governor has thought fit to transmit to me copies of the said proclamation and of the Letters of Notification written to the respective Landdrosts concerning the same, for approbation. It is hereby ordered, signified, and declared that the said Letters and proclamation are fully and entirely approved, ratified, and confirmed in every respect, in like manner as if the same had been issued by me.

And of this all manner of persons subjects of His Britannic Majesty and resident in the Cape Town and the Colony and Territories thereto belonging are to take notice, and therein as well the respective Landdrosts of the Colony as all Magistrates and other persons Civil & Military whatsoever are to be aiding and assisting, and they are hereby required severally and respectively to obey the said Proclamation in every respect whatever.

Given under my Hand & Seal at the Castle of Good Hope the 1st of January 1800.

(Signed) GEO. YONGE.

[Original.]

Letter from VICE ADMIRAL CURTIS to SIR GEORGE YONGE.

ADMIRALTY HOUSE, CAPE TOWN, 1st January 1800.

SIR,—On the part of myself, the Captains, Officers, and every person belonging to His Majesty's Ships upon this Station, I beg your Excellency's acceptance of the sincerest acknowledgements for the favour of your Letter dated the 30th Ultimo, relative to the opinions of the Crown Lawyers which have been taken in England on the subject of certain Prize Goods brought to the Cape of Good Hope.

These Opinions have been maturely perused by us, and it is impossible to describe the sorrow and dismay we feel on the occasion; because it was never imagined that the importation of *Prize Goods* was within the meaning and operation of the Acts and Authorities quoted by the Crown Lawyers, but that they were formed solely to preserve the East India Company from the

injuries it would sustain by *Mercantile* Traffick. And I seem to have ground for so understanding these authorities, because on the 28th December 1796, the date of the Order in Council referred to by the Crown Lawyers, there was no Vice Admiralty Court existing in this Colony, and consequently *Prize Goods* could not at that time be in contemplation. In the West Indies, I am informed, the Legal restraints for the protection of the immunities of the East India Company do not attach to *Prize Goods*, but that they are imported and sold for the benefit of the Captors though "of the Growth and Manufacture of Countries to the Eastward of the Cape of Good Hope." Indeed, so far as we have had opportunity of obtaining information, it appears in the Tenor and Practice of the whole Body of Revenue Law, Exemption is so expressed, or implied, that the principle thereof is adopted, and acted upon in favour of Prize Goods, "Goods taken upon the Sea."

Your Excellency may well imagine the nature of our feelings at finding, that at this distant Colony, we are deprived of the privileges enjoyed by our Bretheren in every other part of the World. We receive Orders and Instructions to destroy the Commerce of the Enemy, and to prevent illicit Trade. If we disobey these Orders and Instructions, we are punishable for such disobedience, and if we conform to them, situated as we are, we are liable to be *utterly* ruined in our Private Fortunes. Any Prizes made by us, or any suspicious Vessel which we may detain for adjudication, we are obliged by Law, under heavy Penalty, to bring it into this unfriendly Port (the seat of the nearest Vice Admiralty Court), and where we are prohibited from vending the Property we have taken from the Enemies of our Country, in obedience to our Orders, and at the risk of our Lives. If it be unquestionable that Prize Goods may not be sold here, our case is truly discouraging and deplorable. We may in the discharge of our Duty possess ourselves of the Goods of the Enemy, and we may in obedience to our Orders acquire the same from the illicit Trader, all of which by the Bounty of our Sovereign after condemnation becomes our legal Property. But in our unhappy situation, it is to be said to us, the Bounty of your King shall be rendered unavailing to you, the Property which shall be adjudged to you by legal condemnation shall rot in your possession, for you shall dispose of it in no manner whatever. Indeed, such is the peculiar hardship of our situation, that the being thus cut off from the honourable advantages of our profession

(grievous as it is to us) is the least of the hardships which press upon us. Suppose a valuable Prize is condemned to us here, from which adjudication an appeal is made to the Courts in England—and as we cannot dispose of the cargo, in order to lodge the nett Proceeds to await the final decision, we must keep it on our hands in the hope that the hour will arrive when we shall have milder treatment; but while we wait the happy change in our favour the Cargo perishes, and finally the cause is given against us, and restitution ordered. In this case we must end our days in Prison, as the consequence of having faithfully performed our duty; for we shall have nothing to restore but the stinking Remains of a Perished Cargo. I speak now conformably to the certain effect of the strict Letter of the Order of Council 28th December 1796; but in the opinion given on the case by the Crown Lawyers, they admit "*it is a question of some difficulty*, especially if the Sale is proposed to be for the *consumption at the Cape*." This avowed difficulty, the especial distinction they make between exportation and Colonial consumption, and the less rigid sentiments they afterwards express, induce me to hope that in the Article of *Prize Goods*, (which as has been before shewn could not have been in contemplation when the Order of Council passed) we shall not be crushed by a rigid adherence to literal expression, but that the spirit of Justice will operate in our favour. We expect this the more confidently, because the late Governor Lord Macartney did after the maturest deliberation permit in the cases of the Prizes *Hope* and *Zeilland*, their Cargoes (though of the Growth and Manufacture of Countries East of the Cape of Good Hope) to be sold in part for consumption here and in part for Exportation.

Admitting for the sake of argument, that *Prize Goods* of Countries to the Eastward of the Cape of Good Hope cannot legally be sold at this place, we cannot avoid thinking it would ill become the Wealth and Grandeur of the East India Company to persist in opposing the supposed *rights of their Charter* to our *claims* for common justice, the claims of Men who acquire the Property they are forbid to sell, whilst they are protecting the Ships of the Company from the grasp of the Enemy, and in the prevention of illicit Trade, so detrimental to its Interests. For, our being permitted to vend our Prize Goods here, would comparatively no more injure the immense concerns of the East India Company, than the taking a drop of Water from the Ocean would decrease its depth.

Thus, in behalf of myself and my Bretheren, have I endeavoured to impress your Excellency with a just idea of the peculiar hardships the Naval Officers and Men upon this Station labour under. We wish to infringe the immunities of no Man, or body of Men; but we cannot bear grievances without complaint. We claim the protection of your Excellency, as far as by a liberal construction of Authorities you may be able to protect us; and we have the fullest confidence we shall receive from you every assistance in our distresses, which it is in your power to afford. Knowing, as you do, the truth of our representations, feeling for us, as you must every moment that the hardships we labour under recur to your recollection, we not only confide in your Protection here, but that we shall be also honoured with your cordial and strenuous support with His Majesty's Ministers at home. I have &c.

(Signed) ROGER CURTIS.

[Original.]

Letter from VICE ADMIRAL CURTIS to EVAN NEPEAN, ESQRE.

*Lancaster, TABLE BAY,
CAPE OF GOOD HOPE, 4th January 1800.*

SIR,—In my Letter of the 12th ultimo I informed their Lordships of the arrival here of *L'Oiseau*, and transmitted at the same time an account of her then discovered defects. I have since caused her to be regularly surveyed by the proper Officers, assisted by the Captains of the *Lancaster* and *Jupiter*, and a copy of their Report on the state of the Ship I herewith enclose for their Lordships' information. Such being her condition, it is my intention to dispatch her for England at such time that she may arrive there in the most favourable part of the Summer; though she may be sent a month earlier or later from hence than I at present intend, in case I should find it expedient either to hasten or postpone her sailing, for putting under her protection any homeward bound Ships requiring Convoy.

The *Camel* arrived here from Saldanha Bay on the 18th ultimo. She must have a new Mizen Mast, in consequence of the present Mast having had a 24-pound Shot pass through it in the action the

Rattlesnake and her sustained with the French Frigate in Algoa Bay. Her Foremast is also wounded, but reparable, and she has also some lesser defects, all of which shall be made good as soon as possible. The order from their Lordships to the late Commander in Chief on this Station relative to the *Camel* and *Woolwich*, expressing solely that he was to take these Ships under his command, without containing any direction that he was to send them home when their cargoes were taken out, I find that doubts have been entertained here whether they were meant to remain on this Station or return to England. The *Woolwich* I understand went home because of her defects; and the *Camel* was employed on carrying Troops and Stores up the East Coast, in consequence of the disturbances in that part of the Colony. Being however of opinion it was never meant these Store Ships should remain here, I mean to order home the *Camel* as soon as conveniently may be, and shall send in her Old Stores, Invalids, Prisoners of War, &c., making her further useful in the passage as protection for a convoy, if occasion should require.

The Lower Masts of the *Jupiter* are compleated and got in, and I trust she will soon be got ready for Sea, when I shall send her to visit the Eastern Coast of the Colony, where some disturbances have lately existed, it being thought that her appearance will have a good effect on the discontented, as well as give countenance to the Troops stationed in those parts of the Settlement; and where also it is become expedient to send her, on account of the French having visited that Coast since the troubles broke out in that Quarter. We have the *Rattlesnake* in hand; a new Main Mast and Bowsprit have been made and got in, and the repair of her Decks and other defects is going forward. As she has been Coppered between Nine and Ten years, much of it is worn off, and the remaining in very bad condition. As well therefore for the preservation of her Bottom from the Worm, as the rendering her more fit for service, it is at present my intention, as soon as she is made ready for it, to order her to Saldanha Bay, heave her down, properly caulk and new copper her, which operations as she is a strong Vessel will put her in a perfect state for service. So much work has been upon our hands, I have not as yet been able to cause a minute inspection to be made into the Defects of the *Hope* in Simon's Bay. The *Euphrosyne* is in the same predicament, but as she is here, I shall turn my attention to her the moment other

more serious duties respecting the repairs of the Squadron will permit.

The *Adamant* I find in July last ran upon a Rock going into St. Augustine's Bay on the Coast of Madagascar, and in consequence thereof made near three feet water in an hour for five hours after she was got off. The Leak then gradually decreased to four or five inches an hour, which diminution, by Report of the Survey then held upon her, was attributed to dirt or sea weed being forced by the Water into the Leak, but doubts were then entertained whether it was safe for her to leave the Bay. She was however afterwards sent from hence with the *Tremendous* to cruize off Mauritius, and I am anxious for her arrival, which I daily expect, that I may be informed of the state of the above mentioned Defect. When the *Oiseau* and *Camel* Store Ship shall have left me, my Squadron will be reduced to the

Lancaster,

Tremendous,

Jupiter,

Adamant,

Rattlesnake, repairing.

Star Brig,

Hope, unfit for service, and deemed too bad to be repaired.

Euphrosyne Brig, at present unfit for service, wanting repair.

Diomedé, expected here from China.

Imperieuse, expected here from China.

Braave, in India.

This statement of the diminution of the Squadron from what was heretofore its force, and the present condition of some of the Ships and Vessels, will I humbly presume induce their Lordships to encrease my numbers.

It is necessary to watch the motions of the Enemy at Mauritius, as well to be a check upon the Privateers there fitted out for the annoyance of the Indian Trade; and since the disturbances which took place upon the Eastern Coasts of this Colony, it is also become expedient more particularly to have an eye to that part of the Settlement, for it has appeared the knowledge of the discontents drew the attentions of the French, in the hope they reasonably entertained of being able to foment the same. For these purposes, the expediency of having something in Port for eventual calls, and considering the length of passage from hence to Mauritius, I think

it will appear to their Lordships I have not a sufficient number of Ships, were they all in good condition, to make occasional changes of them for these several purposes. It is supposed a corvette which was attached to Mauritius has been dispatched to Europe, and it has been imagined to make known the disturbance which existed in the Eastern parts of this Colony, but which I understand are now nearly at an end, if not perfectly so.

The *Buffalo* Armed Ship from New South Wales arrived here on the 16th ultimo, for the purpose of procuring Cattle for the Colony and various Articles of Stores. She will be ready to sail on her return thither in a few days. Dispatches for England from Governor Hunter are lodged with me and will be sent home the first suitable opportunity. I am &c.

(Signed) ROGER CURTIS.

[Original.]

Letter from MAJOR GENERAL DUNDAS to SIR GEORGE YONGE.

FORT FREDERICK, ALGOA BAY, 6 Jan'y. 1800.

SIR,—I do myself the honor of reporting, what it affords me much pleasure to communicate to your Excellency, that the unfortunate public disorders, which have for some time past prevailed in the District of Graaff Reinet, which lately threatened in their probable effects the total destruction of the Colony, are apparently crushed by the conciliatory means employed for that purpose, nor do I conceive, that there is any reason to apprehend a renewal of disturbances (unless *perhaps* instigated hereafter by a foreign Enemy) either on the part of the Dutch Inhabitants themselves, or the Caffres or Hottentots who inhabit this District; as I persuade myself the measures will be carried into effect, which are calculated to prevent them, being sensible, however, that something further must be done without delay, on the part of Government, to obviate future Calamities, probably similar to those which have recently occurred.

The events which have frequently happened, in consequence of the lawless and disorderly conduct of the people, who inhabit the distant parts of this Colony, which have proved so injurious

to the repose of the Country at large, have evinced the necessity for introducing into this District particularly a more strict administration of public Justice, together with such new Regulations, or Laws, as seem to me necessary, in order to restrain the unruly Classes of people dwelling here; for I must observe to your Excellency, that to the habits of licentiousness injustice and cruelty of the white Inhabitants, with the system of oppression, under which the native Hottentots of the Colony have lived, and the injuries the Caffres have sometimes sustained, many of the evils, or insurrections, here are to be ascribed, therefore, I am decidedly of opinion, that unless Justice is enforced with more strictness, than has hitherto been done, in all the dealings of the different descriptions of Inhabitants with each other, the general tranquillity cannot be placed upon a footing of perfect security.

I have already begun to establish here, such Regulations as my local knowledge, or experience, has convinced are requisite, as well to restore, as to preserve peace, and shall endeavour to make such temporary arrangements, as the general and individual safety of the Inhabitants and their property appear to me to require, before I have the pleasure of seeing your Excellency in Cape Town, where I shall take the earliest opportunity of stating to you, all the Circumstances which have occurred here, meaning at the same time to offer my sentiments, as to the very important subject, the preservation of good order in this District, with which, in my opinion, the welfare of the settlement of the Cape of Good Hope is intimately connected, and upon which the prosperity of the King's Government, in this part of the world, greatly depends.

Having made peace with the Savages, and pacified the Hottentots, and having also established a Military Post at Algoa Bay (named Fort Frederick in honor of His Royal Highness The Duke of York) in order, by the presence of the Troops, to awe the turbulent Dutch Inhabitants, and for the purpose of sustaining the Civil Magistrate in the execution of his office, I feel no longer any anxiety, relative to the success of the troublesome and fatiguing service which has for some time past engaged me, in this distant part of the Country, consequently, it is my intention to return, as soon as possible, to Cape Town, which I hope to be able to reach in the space of Ten or Twelve days, when it will be incumbent on me to lay before your Excellency, a farther detail of particulars respecting the conduct of our affairs here; and will take the liberty

of submitting to your consideration, such things as may have occurred to me relative to them; with a view to contribute, as much as possible in my power, to the success of your Excellency's Administration, and the honor and advantage of His Majesty's Government. I have &c.

(Signed) FRANCIS DUNDAS.

[Original.]

Letter from VICE ADMIRAL CURTIS to EVAN NEPEAN, ESQRE.

Lancaster, TABLE BAY,
CAPE OF GOOD HOPE, 6th Jany. 1800.

SIR,—His Excellency Sir George Yonge, the Governor of this Colony, having had the goodness to submit to my perusal the Opinions of the Crown Lawyers in England, dated the 2nd of August last, upon the subject of certain Prize Goods brought into the Cape of Good Hope, and desiring to have my observations thereon, I enclose herewith for their Lordships information a Copy of the Letter I wrote to His Excellency on that occasion. I understand this subject has been submitted to the notice of their Lordships by the Judge of the Admiralty Court at this place. The hardships we labour under, being detailed in the above mentioned Letter to Sir George Yonge, it seems unnecessary herein to repeat them; and I have only thereupon to offer on mine own part, as well as on the part of the Captains, Officers and Men under my command, the most humble and pressing solicitation that their Lordships will be pleased to take our peculiar and distressing situation into their consideration and cause us, in respect to the Sale of Prize Goods, to be put on the same footing of advantage as enjoyed by our Brethren in every other part of the World. I am &c.

(Signed) ROGER CURTIS.

[Original.]

Letter from VICE ADMIRAL CURTIS to EVAN NEPEAN, ESQRE.

*Lancaster, TABLE BAY,
CAPE OF GOOD HOPE, 6th Jany. 1800.*

SIR,—The Court Martial upon the surviving Officers and Men of the *Sceptre* was held the 14th Ultimo. The Officers will return to England as opportunity may offer, and the Men will be distributed among the Ships of the Squadron as occasion may require.

A very dangerous Mutiny having been discovered on board His Majesty's Sloop the *Hope*, one of the Vessels belonging to this Station, when off the Coast of Madagascar in the month of May last, and no opportunity of bringing the offenders to Trial having sooner occurred, a Court Martial sat upon Twenty-two of them on the 2nd and 3rd Instant. Their Lordships will see that the Court sentenced Five to suffer Death, but recommended one of them, viz. Joseph Peters, as a fit object for mercy. The other Four named in the Sentence were executed yesterday morning on board the *Lancaster*. I shall suspend the execution of Joseph Peters that His Majesty's pleasure, through their Lordships, may be signified to me; for though it has been the practice of some Commanders in Chief to grant Free Pardons under similar circumstances, I do not conceive I am legally possessed of any such Authority.

Mutiny is a Crime of a nature so dangerous to the State, and upon the legal conviction of which, example is in my opinion so indispensably necessary, that I think I should have failed in my duty had I in the case of these unhappy Men arrested the course of Justice. I am &c.

(Signed) ROGER CURTIS.

[Original.]

Letter from BRIGADIER GENERAL FRASER *to the* RIGHT
HONOURABLE HENRY DUNDAS.

CAPE OF GOOD HOPE, *January the 9th 1800.*

SIR,—When Major General Dundas, on account of the disturbances on the confines of the Colony and the hostile appearance of the Caffres, judged it proper to take the Field, he left in my charge the care of His Majesty's interests here, and from that circumstance it is incumbent upon me to address myself to you upon the present occasion, for altho' the arrival of Sir George Yonge on the 9th of December exonerates me from this important charge, and also renders it unnecessary for me to enter into any general state of the civil administration or concerns of the Colony, still it is His Excellency's wish that I should comply with the commands of the Major General in reporting to you Sir, the circumstances under which the bearer of this Letter, Capt. Robinson of the *Regulus* has in his charge a man of colour named Hermanus Vermaak, whom he is bound to deliver into such custody as you shall please to direct.

I shall briefly relate the cause of the apprehension of this Hermanus Vermaak and shall chiefly depend upon your perusal of the inclosed papers relative to his misdemeanor, as an ample explanation of the disagreeable necessity under which Major General Dundas found himself of making this serious example.

In the month of September an American Vessel arrived from Batavia, and agreeable to the orders of this Government upon the arrival of neutral Ships from Enemies Ports all her Letters were delivered into the Secretaries Office, and amongst the number one addressed to Citizen Hermanus Vermaak created suspicions and from the ambiguity of expressions relative to papers apparently of a public nature, it was judged necessary immediately to send for Mr. Vermaak and to require his explanation, of this Letter Sir you have inclosed an authenticated translation from the Dutch Language under No. 1.

The explanation of Mr. Vermaak not being satisfactory, and as he insisted that a Letter addressed to him from a person scarcely known to him, could not be considered as sufficient to criminate

him, I immediately caused all his papers to be sealed, and whatever degree of caution may be supposed to exist in persons who enter into so dangerous a correspondence, the scroll of a Letter in his own handwriting dated 22nd February 1799 and of which an authenticated translation from the Dutch language is inclosed under No. 2 was found and clearly proved that Mr. Vermaak was engaged in a warm and treasonable correspondence with the same Citizen Bremer whom he would scarcely acknowledge to be acquainted with. This circumstance added to Mr. Vermaak's obstinate refusal of explaining the ambiguous expressions in the Letter of Mr. Bremer No. 1, viz. what papers and of what friends, what Committee, and above all his marked and well known turbulent principles, rendered him a necessary and very proper example as a check to a party here, who tho' perhaps all equally guilty, are more guarded or have as yet better escaped positive proof of their criminal and treasonable proceedings.

No. 3. is the Translation of a Letter from the same Bremer addressed to Citizens C. Cruywagen and H. Vermaak, which altho' it does not convey much information proves the chain of communication to be industriously followed up, and I am sorry to add that this Mr. Cruywagen thus addressed, is, or ought to be, one of the most respectable Inhabitants of Cape Town.

It is not necessary that I should occupy more of your time, nor industriously seek for any charge against this Vermaak beyond the Letter No. 2, but whatever degree of clemency this man may meet with I can not refrain expressing my opinion that it would be better so to arrange that he were never suffered to return to this Colony, which can not be considered as any great hardship, since Mr. Vermaak overlooking the general prosperity of this Colony, has chosen to represent to the Enemy the unhappy situation of himself and his adherents. In short Sir the unanimous voice of the Colony declares that if this man and his party were removed, that it would establish the general tranquility of all classes of the well disposed Inhabitants who are too frequently imposed upon by the false doctrines of such men. I have &c.

(Signed) HENRY FRASER, Brigadier General.

[Enclosure No. 1.]

To Citizen H. VERMAAK, at the Cape of Good Hope.

SIR AND FRIEND,—My arrival in Fatherland shall already be known to you by my two former Letters, one of which was dispatched *viâ* Lissabon, and the other *viâ* England, but as to communicating to you any news, I am not yet to-day able to do it, because firstly, *the Papers of our good Friends* are not yet arrived in the Republic, and secondly as soon as the intermediare authority shall be established, I shall then be able to communicate to you *both the one and the other*,—still I have nevertheless sufficiently acquainted the Committee *with it*, and I am to-day to appear in the assembly, where Mr. Grol presides, whereupon I shall further write to you *my Friends*.

Tell Mr. B. Van Reenen that Messrs. Gulcher and Mulder are out of Town, but I shall *speak with them to-morrow*. I, wishing to you happiness and fraternity, remain &c.

(Signed) F. BREMER.

AMSTERDAM, *July the 4th* 1798.
viâ COPENHAGEN.

[Enclosure No. 2.]

CAPE 22 *February* 1799.

MR. FRANS BREMER.

VERY DEAR FRIEND AND FELLOW CITIZEN!—Your disastrous voyage I have learnt by your Letter directed to Mr. Cruywagen and myself dated Rotterdam 29th of June 1798, your Letter *viâ* Spain being not received. I nevertheless testify my being very glad at the safe arrival of my Friend in Fatherland, and at your meeting your Family there in a well being, I much wish to see you in time here again, if it should be for your benefit.

I lately have received from Europe *the new established constitution*, on which I congratulate you and all the well disposed Inhabitants of the Batavian Republic, *eagerly wishing that we also ere long may be so happy as to partake in it* so as a number of such Inhabitants of this extensive and important Colony as continue to be attached to the mother Country, heartily hope and trust, they will then give the perfectest proofs thereof, more

especially if we are so happy as to be made one of the Departments of that freedom loving Batavian Republic.

We still continue, like as at your stay here, to live in hope and fear, not without heartily sighings to Heaven to deliver us by means of the peace from our *unhappy situation*. Our known Friend Andries Muller goes to Europe on board of the Danish Ship *Johanna and Maria*, by whom you may learn *somewhat or other*, I hope he may prove to be a True Patriot, without selfishness or views of own greatness, from me he has not the least commission, but *to assure the nation of our true attachment to the Fatherland*.

Pray my Dear Friend, do not forget to send me somewhat or other news, worthy to be known, or newspapers. I shall pay the expences, it is best *viá* England, as then the Letters come to hand and *are not opened*. Citizen A. Muller shall at his safe arrival deliver to you for your beloved wife 6 Bottles best red morning wine, please to accept this small present, as a token of true Friendship. I conclude this letter, after friendly salutation to yourself and your Family and all the well disposed, while with true and sincere esteem I subscribe myself your heil wishing Friend.

P.S. After that this Letter was ready I receive your always agreeable Letter from Bergen in Norwegen dated 11 August, 1798. I heartily thank my Friend for what he has communicated to me, and shall in time further write to you.

[Enclosure No. 3.]

To the Citizens C. CRUYWAGEN and H. VERMAAK at the Cape of Good Hope.

Salute and Fraternity.

I after a long and tedious passage, mentioned to you by my former Letter from Spain *viá* Portugal, arrived here on the 19th inst., and being arrived again in my Country, and having found my beloved wife in good health, I have already forgot the said sufferings, as to the situation of this Country, this is thank God better than it was talked of, tranquility is still existent, but commerce is at a stand, by neutral vessels nothing can be ob-

tained to be exported, those vessels also being stopped both by the French and English, so that almost the whole Sea is unsafe. I this day find in the newspapers that England intends most strongly to blockade Texel. As to our navy this is strongly increasing, a new Man of War of 64 guns being here to be launched to-morrow, and there are 5 more on the stocks, and this is also the case at Amsterdam. As at peace, I can not as yet perceive any appearance for it, and therefore am unable to state anything on the subject. I intend to-morrow to go to Amsterdam, for the purpose of further *enquiry after those papers*, I think they will be here within a fortnight, for I have both at Paris and at the Hague used my endeavours to get them out of the Privateers hands. As soon as they are arrived and delivered, *I shall then acquaint you with the effect* and with additional news, I request for the present to be excused, as I am actually under a pressure to settle my own affairs. Please to present my compliments to Messrs. van Reenen, I shall by next opportunity write to those Gentlemen on the subject of their affairs. I would console you with newspapers, but I am to dispatch this Letter under cover so that it is impossible for me to send you any, but I will satisfy you on this head by the first convenient opportunity. I after friendly salutation to all well disposed acquaintances, Friends and Your Family, recommend you into the protection of the most High and remain respectfully Your Common Friend,

(Signed) FRANS BREMER.

ROTTERDAM June 29th 1798.

[Original.]

*Letter from MR. JOHN PRINGLE to the RIGHT HONOURABLE
HENRY DUNDAS.*

CAPE OF GOOD HOPE, 11th January 1800.

SIR,—I have the honor to inform you that I have shipt forty-eight Aums of Constantia Wine on board the Hon'ble Company's Ships *Dublin & Calcutta* in equal proportions, consigned to you as per enclosed Bills of Lading.

Sixty Aums were procured this year as usual, but His Ex-

cellency Major General Dundas directed twelve to be issued to the principal Civil & Military Officers at this place. I have &c.

(Signed) JOHN PRINGLE.

[Original.]

Letter from SIR GEORGE YONGE *to the* RIGHT HONOURABLE
HENRY DUNDAS.

CAPE TOWN, *January 12th* 1800.

SIR,—I had the Honor to write to you immediately on my arrival at this place by a Packet post sailing for St. Helena in Hopes of its being forwarded to England from thence.

I have now the Honor to acquaint you that since my arrival on the 9th Decr. everything has continued in perfect Tranquility, and I have the Pleasure to add that by advices from M. Genl. Dundas Tranquility is perfectly restored by his Exertions in Graaff Reinet. He is still however detained, for the Purpose of making some ulterior Regulations, but has wished not to detain the present Dispatches, as there will be soon other opportunities, which will enable him to explain the Details of this Business more fully.

Suffice it for me therefore only to say that the Business seems to have had a deeper Root and greater Extent than at first appeared. That M. Genl. Dundas's Exertions were become absolutely necessary as well as his attendance on the Spot; and that those Exertions have been attended with all the good Effects which were to be expected from them thro' his Zeal and Judgment, of the Nature of which I cannot give a better account than by sending a letter I have just received from him. At the same time the Tranquility of the Country though thus restored, can be maintained only by constant attention, and by the Vigour of the Government, and of course the Services of the Military will continue as necessary as ever. The Duty is sufficiently hard at present, and We most anxiously await the Arrival of the promised Troops to relieve us and enable us to give the necessary support to the Measures which have been adopted and which are essential to the Tranquility of the Colony. I will hope too, that as I before

urged, This Garrison will never be reduced lower than Four Thousand Men.

The value and importance of this Colony encreases every Hour, and well deserves Support and Protection. To this End the Government must be strong and I need not say how necessary a sufficient Military Force is to that support and indeed to maintain good Order every where, but no where more so than in this Colony.

I find there is a Person of the Name of Vermaak who has been sentenced by M. Gen. Dundas to be sent to England to abide the Judgement of Government there. M. Gen. Dundas has desired Br. Gen. Fraser to prepare in his absence the Details of this persons offence and he writes fully on the Subject. He is sent as a Prisoner on board the *Regulus* Capt. Robinson by whom the Dispatch will come. I understand his Offence to be a traitorous Correspondence with the French and Batavian Assembly to betray this Colony and surrender it to them. I have only to hope that however Government may dispose of this Person he may never be suffered to return to this Colony.

It is now with much Concern, I have to mention the wretched state of the Public Pier, the Barracks, and all the Public Buildings, both here and at Simons Town. It is a Legacy left by my Predecessor, who was made fully sensible of their Condition, but had not Courage to do what I think would have been his duty, taken some measures to prevent Matters growing worse. Had He done so, It certainly would have been better for the Publick.

The Nature of the Buildings here and I will add of the Climate too, He knew well required constant attention and frequent repairs, and he received them in such a condition as made something necessary to be done without loss of time, but he preferred shifting the Task from off his own Shoulders, and the Public Service now feels it. The Extent of what is now necessary cannot as yet be quite ascertained but both M. Gen. Dundas and Mr. Barnard the Secretary have been so urgent on the Subject, that I have directed a Survey to be taken in order to determine what may be fit to be done.

I am about to suffer what I deem a most irreparable loss in the Absence of Mr. Ross the Paymaster General, who is almost the only, but certainly the most, efficient Officer, which Government has here. But his Ill state of Health has rendered his

return back to England unavoidable by the unanimous advice of the Physicians of this Place. I have consulted him on the Subject of the Copper Coin sent out by the *Lancaster*, and have settled that the Penny Pieces shall pass for two Styvers, which it is thought they can bear very well, and this high denomination will prevent their being melted down or exported to other Countries.

I could have wished to have given the Dollars also a denomination higher than 5/ for the same reasons, more especially as the experience of doing so with the Gold and Silver Coin from India has given this Colony the only circulating Cash it now has, but unfortunately the low denomination already fixed for Spanish Dollars has now lasted long enough to affect many private Transactions, as well as Public Payments, which has thrown difficulty in the Way.

With regard to the Copper Money however, it will be expedient for Government at Home to pay some attention to the Possibility of clandestine exportation from Great Britain, similar Care will be taken here to prevent the Importation, and thus it is hoped that the weight and bulk of the Coin will render any mischievous Speculation difficult to be effected.

The Quantity sent out will be sufficient for the circulation at present, and a greater supply may endanger its being rather depreciated in its value. But if in time a further supply should become desirable I hope it will be supplied in the shape of Halfpence and Farthings, as these small Coins are much wanted, and Coins of high denomination have a tendency to raise the Price of Necessaries to the lower Classes of People for whose use such Coin is chiefly intended. With regard to the State of the Revenues Mr. Ross will give you the best account of them, besides what the official accounts which are also sent in the usual way to the 30th Sept. will present. They will show the Revenue gradually improving, and that, not by any extraordinary steps taken so to do, but arising out of the growing Prosperity of the Colony, which is the best source of Revenue. And the Prospect of an abundant Harvest with an encreasing Commerce leaves little doubt of the Welfare of the Colony.

It will be my Duty and Care to contribute my best endeavours towards securing this. And I flatter myself that I shall not be quite unsuccessfull in my Endeavours to conciliate the good

Disposition of the People and to induce them to become attached to the British Government under which many begin to be sensible they cannot fail to prosper, though there are several here yet who are not well disposed, but most of those who were attached to the Prince of Orange are very well disposed and I hope will be more so, and I do not scruple to say that when it shall be finally determined by a Peace, what will be the fate of this Colony, It will (should it remain to Great Britain) become one of the most valuable and important possessions of the Crown, In whose Hands, I humbly conceive, it should unalterably and unalienably remain.

The Military Details & Returns will be transmitted in the usual way. I have therefore only to transmit to you a Representation on Behalf of the Navy from Vice Admiral Sir Roger Curtis on the occasion of an Opinion given by the Crown Lawyers on the subject of Prize Goods here, upon which having received no Instructions nor ever had those Opinions transmitted to me, nor the grounds of it, I have only to recommend this strong Representation to your best attention. I have endeavoured to inform myself of the Subject, and from what I can learn, and a perusal of the two Acts of the 33 and 36 of H. M. concerning Prize Goods and Vessels being Prize, I intend to order the whole to be sold for exportation, to remain for the Judgement of the Courts, and for the Benefit of the Captors or the Claimants as the case may be, as far as relates to India goods,—the remainder there can be no difficulty in selling for consumption here or elsewhere.

I reserve every other Topick till I can have had an opportunity on the return of M. Gen. Dundas to this place to enquire more particularly into the Details of every Matter Civil or Military, which has occurred or has been arranged by M. Gen. Dundas from the time of Lord Macartney's Departure till my arrival, when I shall be able to give you a more exact account of every thing than I can possibly do at present, till I have consulted with him, and I shall then have the Honor to write to you more fully on every thing. I have etc.

(Signed) GEO. YONGE.

P.S. This will be delivered to you by Lieutenant Tucker of the Navy, who is returning to Europe on his Promotion.

[Original.]

Letter from SIR GEORGE YONGE *to the* RIGHT HONOURABLE
HENRY DUNDAS.

CAPE TOWN, *January 12, 1800.*

SIR,—I have the Honor to send you enclosed a Paper relating to the Lutheran Minister here, and understanding It was still their wish to engage the Person recommended by the Baron de Lenthe, In Case the Person already apply'd to did not Come I have agreed with them to lett the Matter rest so, for the present, agreeable to their Desire, of which It may be right that the Baron de Lenthe should be Informed. I have &c.

(Signed) GEO. YONGE.

[Original.]

Private Letter from SIR GEORGE YONGE *to* WILLIAM
HUSKISSON, ESQRE.

CAPE TOWN, *Jany. 12, 1800.*

DEAR SIR,—Here are some Letters sent me which had been left out of the Bag for England, and are wanted to be conveyed thither, and I thought it best to send them to you, more Especially as I perceive they are all addressed to the House of David Scott, whose late commercial connexions have made some noise. I know not the Contents of these Letters, but send them you as they are. The other Letters I will trouble you to forward as directed when you receive them.

I have been endeavouring to ascertain the State of the late Investment sent out, as you may recollect by Government, and of which it seems Lord Macartney had great expectations, But the object has lately failed, from several Causes. First Because the assortment was Improperly made and not well Calculated to this Market, and tho' made on Consultations with Persons here, The choice was, perhaps wilfully Ill made, Next Because of the Jealousy of the Merchants here, both Dutch and English, who

found their private Interests in Danger If the Publick succeeded in this measure, and They carried their endeavours so far to thwart It, as actually to prefer buying Articles of others dearer than they could have got them at the Publick Vendue rather than encourage the Sale—next the very Injudicious mode of Sale by fixing a Price on them too high for the Market, Instead of taking at once the Market Price whatever It might be—and the event has shewn that It would have been much wiser to have done so. For then they would at least have been sold, and now they cant be disposed of at all. The Particulars are making out and I will send them by the next Ship, of the State of the Investment—What Goods have been sold and at what Price, what Goods remain unsold, and what were destroyed by Fire. I am also endeavouring to gett rid, if I can, of what remains on our Hands, tho' I know not If I shall succeed—After all notwithstanding this Ill Success I am not clear but It will be worth while to try it again—I find the Dutch Government did so, and Paid their Expences by It. But then they were a trading Company, monopolized the Trade of the Place, and allowed no Articles to come to Market, but they brought, I find too, they had Four authorized Merchants, in their Pay, to whom alone all Investments were Consigned. None knew the Prime Cost but themselves—None bought the Articles in Europe but themselves—and none Sold anything here but themselves—and It was certainly a Wise Measure, for It is much better to defray the Public Expences by the Purchase and Disposal of articles, the Fruit of the Industry of the Country, than to drain the Country of Bullion for that Purpose. How far English Liberty of Trade and Speculation will render anything of this Sort practicable or not, I cant say but It shall be Considered—tho' I told Lord Macartney I feared English activity and Competition would defeat the Measure, which indeed It has done together with the other circumstances I have mentioned. One Thing will Certainly be necessary. It must not be known that Government has occasion for, and whatever may be wanted, must be Purchased at the first-Hand, before the Occasion can be known, and the Articles must be Good of the Kind. At the same time It is very extraordinary that tho' the Market is certainly overstocked at present all European Articles continue very Dear, and in the Shops and storehouse the Price is reckoned by Dollars on Articles which in England would be reckoned by Shillings—and all the Sorts sent

out are so Ill Made that Things of the most Conveniency are not to be had. This Country however is Improving fast, and there are many Things It is capable of that I cannot now enumerate that will in time be produced here. But there is a great Want of Hands, both Labourers and especially Artificers—such as Carpenters, Joiners, Masons, Bricklayers, Quarrymen, Saddlers, In short all the ordinary Mechanicks, of which there are none here except some few Slaves, or what the Military can furnish—any of these would find full Employment here—Indeed the Country is so extensive that It is not half Inhabited, and of Course not half Improved as It might be—a good supply of Inhabitants, but especially Artificers would be very valuable, and find a good livelihood. In a little Time all this will be perhaps, attained.

The News in India was received with very great Joy here, but I am sorry to say the French Cruizers from the Mauritius are very troublesome and the Clandestine Trade in foreign Ships, that Is chiefly Danish and Americans supply the French and Batavians with all wants both from hence and from all our Settlements in India, in which I fear some English too are concerned, and they certainly carry on and protect all the Commerce of the Enemy. The Chief Mode Is to fitt out from Copenhagen to Tranquebar, and also to Stop here for Refreshments—under Colour of this they go to Mozambique, to Mauritius and Batavia, where there is now a French Garrison who are masters of the Place. Certainly the Trade *merely* to Tranquebar does not require the Shipping employed to go thither—and the Cape seems very plain indeed. It is worth Considering what can be done in this.

This comes by the ship *Regulus* which intends sailing again from England in June or July, so I shall hope to hear from you by her.

I have time for no more now, by the next Ship I shall write again, and am etc.

(Signed) GEO. YONGE.

[Copy.]

PROCLAMATION

By SIR GEORGE YONGE, *Baronet, &c., &c.*

Whereas Representations of the want of small money experienced here have induced His Majesty to take into His gracious consideration the immediate relief from this great inconvenience to all classes of His Subjects in this Colony, a considerable supply of Copper Coin has been sent, and will immediately be issued by the Deputy Paymaster General, in payment of the subsistence of His Majesty's Forces, as the most effectual and immediate means of bringing it into circulation where it is most wanted.

These are therefore to give notice that a Copper Coin, weighing one English Ounce, and stamped with the profile of His Majesty on the one side and of Britannia on the other, will be issued to the Garrison at the rate of Two pence or Two stivers for each Copper, and that the same shall pass current in the Colony, and is to circulate at the aforesaid rate of two Stivers.

And that no one may plead ignorance of the rate or legality of this or any other of the Coins circulating in the Colony, of which it does not appear that any regular proclamation has ever collectively been issued, I have judged it most expedient herewith to publish the following Table of all the Specie legally circulating in this Colony, with the rates affixed to each at which they shall be considered and be a legal tender in all payments or transactions in this Colony.

Table of Specie.

	Hol. Sch.	Stiver.	£	s.	d.
A Guinea	44	or 264	or 1	2	0
A Johanna of 8 Spanish Dollars	80	or 480	or 2	0	0
A Ducat	19	or 114	or 0	9	6
A Venetian Sequin	19	or 114	or 0	9	6
A Gold Mohur of 15 sicca rupees . . . . .	.	.	1	17	6
A Pagoda	16	or 96	or 0	8	0
A Spanish Dollar	10	or 60	or 0	5	0
A Rupee	5	or 30	or 0	2	6
A Dutch Guilder	4	or 24	or 0	2	0
An English Shilling	2	or 12	or 0	1	0
A Copper Coin . . . . .	.	.	0	0	2

It does not appear necessary to mention the paper money, as each piece has its own denomination marked upon it.

No money either Paper or Specie having hitherto been issued by Government or circulated with its authority of a smaller denomination than one Skilling, or six Pence, or six Stivers, it became necessary to permit some Corporations and Individuals who had many small payments to make to issue and circulate private cards or notes for dividends of the skilling; but as His Majesty has now sent a Copper Coin, which will remove the necessity of such an expedient, it is hereby declared that it shall not be legal three months after date of these presents to circulate any more private cards or notes.

And this supply of Copper Specie having been sent to relieve the inconvenience of persons requiring to make small payments, no persons are to collect the same for the purpose of making large payments, nor shall it be deemed a legal tender to offer the same in payment of any sum exceeding Six Pounds or Thirty Rix-dollars.

And whereas representation has been made to me that the law prohibiting the exportation of any Specie from this Colony has of late been frequently evaded in a fraudulent manner, warning is hereby given that the punishment of this crime shall be enforced in the strongest manner, and that as it is extremely difficult to fix the current value of the Copper Coin in such manner as to remove the risk of its being either exported or imported, it is hereby declared that the exportation or importation thereof in any sum exceeding Ten Pounds or Fifty Rixdollars shall be punished by Fine of Treble the Value and confiscation of Ship and Cargo on condemnation by sentence of the Court of Justice.

Given under my Hand & Seal at the Cape of Good Hope
14th January 1800.

(Signed) GEO. YONGE.

[Copy.]

NOTICE

Is hereby given that His Excellency the Governor & Commander in Chief has been pleased to appoint Wednesday as the day in

every week on which he will transact Public Business in Person, except in such cases as require immediate attention, and therefore directs that all applications should be made through His Excellency's Private Secretary Richard Blake, Esqre, or Aides de Camp Lieut.-Col. Cockburn and Capt. Tucker.

The regular Colonial Business must be transacted as heretofore through the Office of the Secretary of the Colony.

All applications made to His Excellency must come to him in the form of a Petition or Memorial, and must be covered with a Stamp of 12 Stivers, or no attention will be paid to them.

By Command of His Excellency the Governor.

(Signed) A. BARNARD, Secretary.

CASTLE OF GOOD HOPE, *February 1st 1800.*

[Original.]

Letter from CAPTAIN OSBORN to VICE ADMIRAL CURTIS.

Tremendous, CAPE OF GOOD HOPE, 3rd Feby. 1800.

SIR,—I beg leave to inform you that being off the Isle of France in Company with His Majesty's Ship *Adamant* on the 11th of December last, we chaced a French Frigate, which ran on Shore on the West Side of the River Tombeau about three miles from Port Louis in that Island; after firing several Broadsides at her she cut away her Masts. At 7 P.M. the Boats were sent to destroy her. * * * * At $\frac{1}{2}$ past 9 the Boats returned, bringing with them the Officers and some few of the Men whom they found on board the Frigate, which proved to be the *Preneuse*—of 44 Guns & 300 Men, commanded by Captain L'Hermite—to which they had set Fire in several places, and which shortly after blew up. * * * * I have &c.

(Signed) JNO. OSBORN.

[Copy.]

PROCLAMATION

By SIR GEORGE YONGE, Baronet, &c., &c.

It having been represented to me, and it appearing that no sufficient provision has been made, either by any Order in Council or by any other regulation, for the disposal of the Cargoes of such Ships or Vessels as may be detained or captured as Prizes and brought into the Ports of this Settlement for adjudication by the Court of Vice Admiralty thereof: whereby the Officers and Crews of His Majesty's Ships and Vessels of War and all other persons engaged or concerned in the capture or detention of such Ships or Vessels are exposed to great difficulties, vexations and expences, more especially when any Goods, Wares, or Merchandize so captured or detained happen to be of the Growth, Produce, or Manufacture of Countries to the Eastward of the Cape of Good Hope.

Being therefore desirous to afford such relief and to make such provision as the Justice and necessity of the case seems to require, I have judged it expedient and proper until His Majesty's pleasure shall be known to order and declare, and it is hereby ordered and declared: That all Ships and Vessels and all Goods, Wares, and Merchandize whatever which have already been captured or detained as prize, and brought into the Ports of this Settlement for adjudication by the Court of Vice Admiralty, and which have not already been sold or disposed of under any Regulations or Provisions now in force, and all such Ships or Vessels, Goods, Wares, or Merchandize whatsoever, as shall or may in future be captured or detained as Prize, and which shall be brought into any of the Ports of this Settlement for adjudication by the Court of Vice Admiralty thereof, shall be subject to the following Regulations, Restrictions, and Provisions until further orders.

That is to say, that such Goods, Wares, or Merchandize as before described may be freely landed under the usual Regulations of the Customs and to be deposited in Warehouses under the joint Locks of the Officers of His Majesty's Customs and of the Agent for the Captors and Claimants, pending the proceedings to be held thereon by the Court of Vice Admiralty, and that all such Goods, Wares,

or Merchandize before described, and not being the Growth, Produce, or Manufacture of Countries to the Eastward of the Cape of Good Hope, which may be condemned as lawful prize, or may be adjudged by the Court of Vice Admiralty to be sold or disposed of, may be sold and disposed of in the same manner as if the same had been imported into this Settlement by any Ship or Vessel belonging to the subjects of any Country in amity with His Majesty, but subject to the same regulations & restrictions.

And it is hereby further declared that all such Goods, Wares, or Merchandize as aforesaid, as also all Ships and Vessels which shall be condemned and sold as Prize, together with their Tackle, Apparel, and Furniture, not being Ships or Vessels of War or bearing Letters of Marque, shall be subject to a Colonial Duty of 5 per cent to His Majesty's Customs upon the selling price thereof.

Provided always, and it is hereby declared, that if any such Goods, Wares, or Merchandize, or any Ship or Vessel as before described, shall be sold for the purpose of being exported or sent directly to Great Britain, then and in such case, such Goods, Wares, or Merchandize, or such Ship or Vessel shall not be subject to any duties of Import upon the sale thereof, provided that good and sufficient security is given to the Collector and Comptroller of His Majesty's Customs that such Goods, Wares, or Merchandize, or such Ship or Vessel, shall be exported or sent to Great Britain as aforesaid, and to no other Part or Place whatever.

And it is hereby further declared that in respect to such Goods, Wares, or Merchandize as before described and which shall be of the growth, produce or manufacture of Countries to the Eastward of the Cape of Good Hope, and which shall be condemned or adjudged to be sold by the Court of Vice Admiralty as aforesaid, that it shall and may be lawful until further orders to sell and dispose of all such Goods, Wares, and Merchandize, free of all duties of import whatever.

Provided always, that such Goods, Wares, and Merchandize shall be sold by public auction, and under the express condition of the same being exported to Great Britain, and that good and sufficient Security shall be given by the Buyers thereof to the Collector and Comptroller of His Majesty's Customs that the same shall be so exported.

And provided always that a duty of export of 5 per cent be paid to His Majesty's Customs by the Exporters of such Goods, such Duty to be calculated upon the price or prices such Goods shall have sold for by public auction as aforesaid.

Provided always, and it is hereby further declared, that if any such Goods, Wares, or Merchandize, the Growth, Produce, or Manufacture of Countries to the Eastward of the Cape of Good Hope, so condemned or adjudged to be sold as aforesaid, shall be in a perishing state, or liable to be destroyed, or to suffer very great injury or damage by being farther exported, then and in such case it shall and may be lawful to sell the same by public auction for consumption in this Colony; and such Goods, Wares, or Merchandize so sold shall be subject to an Import duty of 10 per cent upon the sale price thereof. But before any such Goods shall be so permitted to be sold for consumption a survey shall be held on the same by such person or persons as shall be appointed for that purpose, and a certificate given by such person or persons under their hands that such Goods, Wares, or Merchandize are actually in a perishing state, or would be liable to be destroyed or greatly injured by being exported to Great Britain.

Provided always, and it is hereby further declared, that if such Goods, Wares, and Merchandize as aforesaid shall consist of provisions of any kind, or of Timber, or of any other Building Materials, or of any Articles whatsoever of which His Majesty's Ships or Vessels of War may stand in need, or which may be in any way necessary for His Majesty's Service in this Colony, or of any Articles of which a real scarcity may exist in the Colony, then and in such case it shall and may be lawful to sell the same for consumption in this Colony, upon leave for that purpose being first obtained from His Majesty's Governor for the time being, and upon payment of the accustomed Import Duties.

Provided always, and it is hereby further ordered and declared, that if any Goods the Growth, Produce, or Manufacture of Countries to the Eastward of the Cape of Good Hope, captured or detained as aforesaid, shall by judgment of the Court of Vice Admiralty be released and given up to the Claimants thereof, then and in such case it shall be lawful for such Claimants or their Agents to export the said Goods, Wares, or Merchandize to the place or places of the original Destination of the said Goods, free of all Duties whatsoever. But if the claimants or parties to whom

such Goods may be restored to the Agents of such Claimants shall be desirous to sell such Goods or any part thereof, and from the particular nature or the necessity of the case shall obtain leave from His Majesty's Governor for the time being so to do, then and in such case the said Goods, Wares, or Merchandize shall be sold liable to all the duties and subject to all the limitations, restrictions, and provisions as if the same had been condemned and adjudged to be sold as lawful prizes.

Given under my Hand and Seal at the Castle of Good Hope this 3rd day of February 1800.

(Signed) GEO. YONGE.

[Original.]

Letter from SIR GEORGE YONGE *to the* RIGHT HONOURABLE
HENRY DUNDAS.

GOVERNMENT HOUSE, CAPE TOWN *Feby. 8th* 1800.

SIR,—In addition to my last Dispatch, a Duplicate of which I have the Honor to send you, I have to acquaint you, that M. Gen. Dundas is returned from Graaff Reynett, But I have not yet had any Conference with him on the Subject to be enabled to enter into any further Detail upon it. I hope the Arrangements He has made will be sufficient, and he has left a very fit confidential Person vested with Powers to do what may be necessary and report every Occurrence; But I am more and more convinced that ulterior arrangements will be still necessary and I mean myself to go up towards the latter End of the Year to examine into every thing.

It appears however generally, that neither the Hottentots nor the Caffers have been the Aggressors, but the Savage and oppressive Conduct of the Dutch Boors, more uncivilized even than the others, have driven the one to Despair, and irritated the others, to which may be added also, that these Boers originally oppressed by the Dutch Government without hope of redress, and feeling their Power being in Reality, by the improvident Grants of Government possessed of the whole Country had actually become as it were Independent and knew no Law but their own Will:

Among them too were some evil minded Persons infected with Jacobinism and desperate in their Characters, who were industrious in fomenting Disturbances, in which they were but too much encouraged by certain Persons in Cape Town who wished to unite them to France. These seem to have been the Sources of the late Troubles, but I hope The Issue will be Beneficial to the Colony and advantageous to Government. For it will be my Care to establish Order, and Justice, to satisfy the Caffers and relieve the Hottentots, and there is reason to hope that the Boors made sensible that they must submit to some Government, begin to think from the experience they have of it, The English far preferable to their former Government, as indeed do all the reasonable People in the whole Colony, tho' some may not yet be satisfied, and some are avowedly Hostile yet these Objects once attained, and the Peace and good Order in the Interior once established, I trust that no Machinations will again disturb us. And then I will venture again to pronounce that this Colony will become in time one of the most Important and valuable Possessions of the Crown.

Governor Gidley King has just arrived here in his Way to New South Wales, he brings us accounts of the unfavorable Termination of the expedition to Holland, and of other Events in Europe. I have given directions for his being supplied with every thing he can wish from hence for the Use of his Settlement, and I have concerted with him the means of mutual aid, and Communication between both Settlements with which he is much pleased.

Another Point has been discussed which I hope His Majesty will approve of. The Mildness of the Government here especially since the English have been here, and the Torture has been abolished, has rendered capital Punishment seldom necessary except in case of Murder or Treason. Banishment has been the general Punishment for other Offences, and Criminals used under the Dutch Government to be sent to Batavia and elsewhere. This has of late been impracticable, and I found an Idea likely to be adopted of banishing Criminals to England.

This I conceived by no means adviseable, and I have suggested to the Courts of Justice the Idea of sending them, as we send our Criminals, to Botany Bay to which they have no Objection.

I have discussed this with Governor King who has acceded to it

very readily, and I shall wait only His Majesty's approbation to carry this into Effect.

I wish Governor King had brought the promised Troops with him, but he brings no Intelligence of them. I can add nothing to what I have already said to urge the absolute necessity for their being sent as soon as possible, and I hope I may rely on the Assurances given me that I shall not be in the end disappointed. If I might be allowed to suggest it, I will add that, in addition to the two promised Regts. of Foot, from the extent and nature of the Duty to be done a Regt. of Light Dragoons besides what we now have would be very desirable.

The Barracks will be prepared for them and by the Establishment of a regular Barrack Office on the same Footing as in England which was become absolutely necessary, the Soldiery will have every Comfort, and be as healthy as in Europe, nor can I express too strongly the degree to which the Troops have felt the want of these Comforts, nor the Satisfaction which the Soldiery have already expressed at the prospect of some Care being taken of them. I have the Honor to send you the Establishment of the Office, as far as it appeared to me to be necessary at present, the utility of it is so apparent, that I will not doubt of its being approved of.

I have also the Honor to send you the Orders I have Issued, relative to the Sale and disposal of Prize Goods and Vessels at this place, having no Instructions on the Subject, and being much pressed by all Parties to put an End to the Suspence in which the matter was left. I have issued a Proclamation by which this in future is to be regulated, governing myself chiefly by the Provisions of the two Acts of the 33rd and 36th of the King relative to Prize Goods and Vessells, and I have the Pleasure to add that the Regulation appears to have settled the Point to the general satisfaction of all Parties.

I am led by this Subject to mention that it appears to me, that the Trade of this Colony encreases so fast as to render the present low establishment of the Customs scarcely equal to the Business. I am not at present sufficiently informed to be able to submit to Government anything more on the Subject, but some temporary Officers I have found necessary to be allowed on the same Footing as in England, who will have pay only while employed. I will endeavour to prepare a more regular Plan for the consideration of

Government in a short time. But the growing Business of this Colony will certainly soon require an Establishment something different from the Present.

I must not omit to mention that Her Majesty's Birth Day was observed here with every Mark of Respect I could shew. In the morning all the Troops were paraded, at which I attended with all the Staff when the usual Manceuvres were gone through and a Feu de Joye was fired along the Line, at noon the Guns of the Castle were fired as well as the Shipping, And the Royal Standard was hoisted on the Town Hall. At one O'Clock I had a Publick Levée at which every Person, Civil and Military, as well as the Principal Members of the Church and other Inhabitants attended at the Government House to the amount of near 300, every Person coming full dressed. At Five O'Clock I gave a Public Dinner to about 140 People when Her Majesty's Health, The Kings, and many Loyal Toasts were drank with great satisfaction. It happened to be on a Saturday which made it inconvenient to have a Ball that Evening. I therefore gave a Publick Ball and Supper, Monday to all the Principal Gentlemen and Ladies, which opened at Nine O'Clock and lasted till Four in the Morning. Supper was at Midnight for about 350 People. I found it was a new thing it gave general satisfaction, and had a good Effect. On His Majesty's Birth Day this will not be omitted.

I must now renew the pressing Solicitation which M. Gen. Dundas has already made for a Supply of Salt Provisions for the Use of the Garrison in Case of a Scarcity, or other Necessity. There was a Stock for 6 months, but some has since been used and one half of it was destroyed by the Fire. It is at all times necessary to have a 6 months Stock especially at this Moment for should any Hostile Attempt be made on this Place the Communication with the Interior would be very precarious. I have given directions to collect a Stock of Corn this Harvest, though Corn is at present not very cheap. But a six months Stock of Salt provisions has ever been necessary and I earnestly hope this will be attended to.

The Coals at this Place are exhausted most of the Stock on Hand having been destroyed by the Fire, and tho' I shall settle with Govr. King as well as I can for a Supply from New South Wales, yet I do not find that can be quite so much depended upon as to render other Supplies unnecessary. It is at the same time

unlucky that the Freight is so high. It comes to more than the Coals. I should hope some means might be found by directing Whalers and other Vessels to bring Coals in Ballast to obviate this great Inconvenience.

Vice Admiral Sir Roger Curtis, who commands on this Station has made applications for a Supply of Ammunition, Guns and sundry Ordinance Stores for the use of the Navy. This request has produced a report from the Commissary that there are no Naval Ordinance Stores at this place. They had been promised but were not sent out. I am sorry to add that it has also given me Information of the great deficiency in other Ordinance Stores, and of the necessity of an immediate Supply. We have not stood upon Form But furnished the Admiral as far as we well could. But I believe he has been forced to purchase what we could not supply. I must entreat immediate attention to this and an ample supply of all Sorts. I am afraid too that Gun Carriages are much wanted, as I have been given to understand that from want (of) attention they are in process of time much decayed, and many of them useless.

These Things have I conceive all been reported Home But I have thought it my Duty, as far as my Knowledge and Information hitherto goes, to submit to your consideration every thing that concerns the State of the Publick Service, relying on the Attention you have ever shewn to the Publick and hoping that my Zeal for it will justify my stating these matters to you. I have etc.

(Signed) GEO. YONGE.

[Original.]

*Private Letter from SIR GEORGE YONGE to the RIGHT
HONOURABLE HENRY DUNDAS.*

GOVERNMENT HOUSE, CAPE TOWN *Feb.* 8, 1800.

DEAR SIR,—In my last Dispatch I announced to you the Severe Illness of Mr. Ross, under Secretary to the Colony, and Paymaster to the Forces here and also the Necessity he was under to return home according to the unanimous opinion of the first Physicians & Surgeons here. To a Servant of Government of such merit, I

thought I could not too much mark my approbation by every Indulgence that could be shewn Him, and therefore, Instead of thinking of any Persons to supply his Place and fill the Offices he holds, even by a temporary appointment, I Chose to regard his absence as only temporary, and desired He would Himself appoint such Persons as He Chose to Officiate till his Return, which from what I conceive the Publick would Suffer by losing his Services I hoped would not be of long Duration—and he has done so accordingly; Himself being in the mean time Security & responsible, by his own Desire, to Government for the due and faithfull Performance of the Duties of those Offices.

In this Manner, He will take his Departure, on Board the *Camel*, with the Hope of returning, and I most sincerely wish that this may be the Case, and that his Absence may be of Short Duration, because as I have already said, He really Is the most, if not the only, Efficient Servant of the Crown here. But at the same time I am very much afraid, from what I learn from the Physicians, that my Hopes and wishes will not avail, and that, from many Causes, It is not likely that He will be able to Return again here. Indeed he has sold off every thing, under the Idea, at least, which is very natural, that the Remedy he has now Recourse to may not be Effectual, the Case being a very Serious one. In this Situation should he not return, or should his absence unavoidably be of long Duration, I doubt It will not be possible, that the arrangement I have allowed Him to make himself for the purpose of distinguishing Him, can long continue, or that He can be expected to remain long responsible for the Duties of those Offices. Should this be the Case I cannot help trusting you with my Wishes on the Choice of proper Successors to Him, relying on your Promise to second whatever I might have at Heart.

In the first Place then, I will mention that among the Persons He has Chosen Is Mr. Blake my private Secretary, and this without my knowledge or his—and by the enclosed Extracts from his Letters you will perceive, This is not merely a Compliment to me, but arising from his opinion of Him—and though I will not say, that from his Connexion & Relationship to me, I am not partial to Him, yet I can affirm, that I do not know a Person here fitter for a Successor, and I need not say, after this, How much I have this at Heart, and How mortified I shall be if this may not take Place. Indeed It is so natural and, though others certainly will be apply-

ing, yett, it is a Thing so much to be expected, that I own, if in this first wish of mine I should be disappointed, I shall feel myself rather Disgraced, and held up rather in a degraded Light to the Colony, which I trust I shall not be.

This I can assure you, That Mr. Blake is perfectly a Man of Business, and equal to fill any Office He may be appointed to—nor shall I fear his Disgracing my Recommendation of Him.

I am very sorry now to be led, by this Subject, to mention another Matter, which arises out of It, though not directly Connected with It.

No sooner was the Indulgence known which I had shown to Mr. Ross, But a Mr. Jessup the Searcher of the Customs, wrote me a Letter demanding the Same Indulgence and Claiming Liberty to appoint a Person to act in his absence and I understood He had previously agreed with a Person who was to share the Profits with Him of the Office during his absence. The bad Consequence of this was so apparent, that I felt it absolutely necessary to mark, that the Indulgence shewn to Mr. Ross was not to be drawn into a Precedent—Because, if that were the Case, I must either withdraw from Mr. Ross that Indulgence, or Else, every Body would soon be claiming to return home, enjoying half their appointments here, as a *Sinecure*. This I conceived Government would never Suffer, I therefore sent Him Word, That If He wished to go Home He might, but, in his absence, I should consider of a proper Person to do the Duty, and that the Indulgence to Mr. Ross was Special and must not be drawn into Precedent.

To this, I am sorry to say, I received a Reply which I will not repeat But he Intimated that having his Appointment from home, He scarcely regarded Himself as under my Controul and thought He had as good a right to Indulgence as Mr. Ross—But Since It was thus, He would not go. I am still more sorry to say that I have since learned, He has been Charged with some Improper Conduct, and Is now under Prosecution before the Courts of Justice. I have however taken no further notice of this foolish Business, but I cannot help observing, That It seems by this Mans intended arrangement, That the Duties of the Office can be performed for much less than He receives for It, and I am fully Convinced It may be. Indeed I have some Doubts, that many of the Official Appointments might be better arranged than they are at present, but I, on this, cannot speak with Precision at present.

The Revenues I am sure can be Putt under a better mode of Collection, and I wish much for Precedents to be sent me of the several modes of Collecting Duties & Taxes in England, and also of keeping & passing Accounts at the Exchequer.

I have troubled you with a long *Confidential* Letter—you have encouraged me to do so, by your kind Promise to second my Wishes, whenever occasion arose, and I will only now say, that your doing so, on this Occasion will be the most gratifying thing in the World to me. I have &c.

(Signed) GEO. YONGE.

[Copy.]

PROCLAMATION

By SIR GEORGE YONGE, *Baronet, &c., &c.*

Whereas it has become necessary that the public Piers of Cape Town and Simon's Town should be repaired and rendered more commodious, and it being also intended in order to give greater facility to the landing and shipping of Goods and to the watering or other operations of Ships resorting to those Ports for the purposes of Commerce or refreshment, that a public Wharf or Pier should be constructed at or near the Rogge Bay in Table Bay.

And Whereas the making such Repairs & Improvements will necessarily be attended with a very heavy expence and it being reasonable that those who reap the greatest benefit from such public Works should contribute towards defraying the expence thereof, It is therefore proposed to effect so equitable a purpose by equalising and in a small degree encreasing the present Impost of Anchorage Money or Harbour Dues.

And Whereas the existing practice of every Ship paying the Sum of twenty Rixdollars for Anchorage money or Harbour dues appears to be a partial and unequal Tax, inasmuch as Vessels of the *greatest Tonnage* pay no more than those of *the least*; I have thought fit to order, and it is hereby ordered, That from and after the 31st Day of March next ensuing, instead of the Anchorage money or Harbour dues at present paid of twenty Rixdollars for

every Ship, there shall be paid Anchorage money or Harbour dues at and after the rate of one Dutch Schelling per Ton on the Register Tonnage of all Ships or Vessels anchoring in the Ports or Bays of this Colony,—such Anchorage money or Harbour dues to be collected and paid in like manner as the present Anchorage money or Harbour dues is collected and paid.

And I hereby further order that the Ships or Vessels belonging to the Colony, and navigating to and from the different Bays thereof under Coasting Passes renewable every six Months, shall pay Anchorage money or Harbour dues at the rate aforesaid *once every six months*, and the Masters of such Coasting Vessels shall not be allowed to renew their Coasting Passes until they produce to the Collector of His Majesty's Customs a Certificate of having paid such Harbour dues.

Given under my Hand & Seal at the Castle of Good Hope this 14th day of February 1800.

(Signed) GEO. YONGE.

[Copy.]

PROCLAMATION

By SIR GEORGE YONGE, *Baronet, &c., &c.*

Whereas Representation has been made to me that frequent thefts and other irregularities are committed in the Cape & Simon's Town by slaves and free people of colour, who, under the name of Coolies or Porters, ply for hire at the Wharfs and in the Streets of the beforementioned Towns; now, in order to put a stop to such practices in future, and at the same time to establish regularity and good order amongst that useful class of people, I do hereby order and command that henceforth no person of colour whatsoever shall under any pretence act as a Coolie or Porter unless such person or persons shall have previously enrolled their names at the Fiscal's and shall have received from his office a numbered Ticket which they shall wear hanging round their necks, as a badge of their employment, and any person or persons of colour acting contrary to these my positive orders and commands

shall, if a free person, upon conviction be imprisoned for the space of three months, and if a slave, shall besides corporal punishment be condemned to work at the public works for the above mentioned space of time. And any free person of colour who shall lend his Ticket to another shall be imprisoned for the space of six months besides receiving corporal punishment. And, in case of death, the relations and friends of the deceased are hereby ordered and commanded under the Penalty of Five Hundred Rix-dollars to return immediately to the Fiscal's office the Ticket possessed by the deceased. The same rule and regulation is strictly enjoined to the Master or Mistress of any slave who shall have acted as a Coolie, under the penalty in case of disobedience of Five Hundred Rixdollars likewise.

And I do hereby caution all the Inhabitants and Strangers who may arrive here not to employ any person to carry burthens for them who is not possessed of that public mark, as they must do it at their own risk, their property being no longer recoverable by Law if lost.

And I do further authorize and empower the Fiscal to inflict all the pains and to levy all the penalties that those who disobey these my orders and commands will become liable to, and in case of complaint being made of any person or persons who shall have obtained a Ticket to act as Coolie or Porter having behaved contrary to the regulations hereby established, or such as shall be established by the Burgher Senate under my authority, the Fiscal has full power given him to inflict on the offender such punishment as the nature of the offence may require.

And whereas no regular rate has as yet been established for the hire of Waggon's to and from Simon's Town, Hottentots Holland, &c., &c., in consequence of which frequent complaints are made of the exorbitancy of the Demands, the rates being wholly arbitrary; in order therefore to provide as well for the interest of the person hiring out his waggon as for those who hire it, I do hereby empower the Burgher Senate to make and appoint such rates of Hire as to them shall appear just and fair, which rate, when so established, shall be fixed up in the most public places the beginning of every month, in order that no person may plead ignorance thereof, and any person or persons refusing to abide by those regulations when established shall pay a fine of Five Hundred Rixdollars, to be appropriated towards the repair

of the streets in Cape Town. The same Regulations are to be observed with respect to the Hire of saddle Horses.

Given under my Hand & Seal at the Castle of Good Hope this 19th Day of February 1800.

(Signed) GEO. YONGE.

[Copy.]

PROCLAMATION

By SIR GEORGE YONGE, *Baronet, &c., &c.*

Whereas it appears to me upon enquiry that several Clubs and other Societies hold frequent Meetings in this place, without either the Knowledge, Approbation, or License of Government; In order therefore to prevent any more such Clubs or Societies being established without the consent of Government being previously obtained, and at the same time to sanction those that at present exist, if upon enquiry being made into the nature and cause of their meeting it appears that no evil is likely to result from them, I do hereby order and command, and it is hereby ordered and commanded, that a Return of all Clubs and other Societies existing at present in Cape Town shall, on or before the 25th day of March next, be made and delivered into the Office of the Secretary of the Colony, by the Person or Persons at whose House such Club or Society is held, together with an exact account of the Origin & Nature of their Institution, which account such person is hereby required to demand of such Club or Society, under the Penalty of 500 Rixdollars in case of Neglect or Refusal to make such Return as aforesaid; and from and after the said 25th March no Clubs or Societies which have been hitherto held or instituted, nor any Club or Society hereafter to be instituted, shall be suffered to continue, or to hold any Meeting, without the previous sanction or approbation of Government and without taking out an annual License for the same, and also paying the sum of twenty-five Rixdollars for such License into the hands of the Receiver General, and without producing annually a Receipt from His Majesty's Receiver General of their having paid the sum of twenty-five Rixdollars into his hands, and any Person or

Persons that shall be found to hold Meetings, or to allow any Club or other Society of any description to assemble in their houses without such Approbation and License, shall for the first offence pay a fine of 500 Rixdollars, one third of which shall be for the benefit of the Informer, the Remainder to be disposed of according to the custom in like cases; and for a second Offence they shall have their house and property confiscated, and be moreover banished from the Colony, the said Penalty & Punishment to be inflicted on conviction before the proper Court.

And it likewise appearing that a number of Billiard Tables are kept in different Parts of this Town and its Environs, which contribute greatly to the encouragement of Idleness & dissipation; in order therefore as much as possible to discourage such practices, I do hereby declare and make known that no Person or Persons whatsoever shall be at liberty to keep a public Billiard Table in his or their house, unless they shall have previously obtained Permission for the same from His Majesty's Fiscal and shall have paid the sum of Fifty Rixdollars into the hands of His Majesty's Receiver General, a receipt for which they must produce previous to their Certificate or License being made out annually; and any person or persons regardless of these my orders and commands who shall keep a Billiard Table, and shall neglect taking out the regular License for the same as aforesaid, shall have his Billiard Table confiscated, and also forfeit and pay the sum of 500 Rixdollars over and above the Penalty declared to be inflicted on Persons holding Clubs or Meetings without License, and shall also suffer the like Punishment of Banishment on conviction before the proper Court.

Given under my Hand & Seal at the Castle of Good Hope this 19th February 1800.

(Signed) GEO. YONGE.

[Copy.]

Letter from MAJOR GENERAL DUNDAS *to* SIR GEORGE YONGE.

RONDEBOSCH 20th February 1800.

In pursuance of Your Excellency's desire of obtaining, as conveyed to me in your letter of the 15th Instant, a Statement in

writing of the Instructions which were left by me with Mr. Maynier for the regulation of his conduct as Commissioner in the District of Graaff Reinet after my departure from thence, I have now the honor of communicating the particulars of my orders and Instructions to Mr. Maynier for the management of the public affairs of that District which is for the present under his direction and situated on the frontiers of the Colony, which Instructions were given him with a view to ensure the security of His Majesty's Government as well as of the persons and properties of its Inhabitants, it having become essentially necessary to preserve the peace of a country District upon the tranquillity of which the safety and prosperity of the other Districts of this Colony in some degree at least, if not altogether depend.

Before I enter upon the matter of the Instructions under which Mr. Maynier at present regulates his conduct it will be proper for me to communicate some particulars respecting the origin and progress of the late disturbances in the District of Graaff Reinet of which Your Excellency may not possibly be as yet fully informed, however I shall in general terms only touch upon the course and circumstances of those disturbances so as not unnecessarily to detain you nor occupy your time, meaning to report such particulars only as appear to me to be undispensably necessary to enable Your Excellency thoroughly to comprehend the nature of this very important subject.

An insurrection having taken place in the District of Graaff Reinet of which intelligence reached the Cape on the 16th February 1799, this Revolt consisting of a Body of armed Farmers, who in the first instance rescued a Prisoner Adriaan van Jaarsveldt, who was in custody by a decree of the Court of Justice, afterwards the Insurgents proceeded to deprive the Landrost of his authority, and to threaten his life; in consequence of which Revolt such measures were immediately adopted here for apprehending and bringing to punishment the Actors and Instigators of it, as, I am happy to say proved effectual, since 150 nearly the whole of the Insurgents surrendered themselves to Brigadier General Vandeleur and the Troops under his command upon the 6th of April last, who agreeable to my orders apprehended the Ringleaders of the Insurrection, 20 of whom remain still under confinement in the Castle, and dismissed the rest upon their giving such security for their good behaviour in future as the Honor and Safety of

His Majesty's Government in this part of the World seem'd to require.

These Disorders being terminated without bloodshed by the judicious exertions of those employed to quell them and by the dread only of our arms without their exertion, I flattered myself with having accomplished the restoration of the public tranquillity, consequently I had resolved to withdraw His Majesty's Troops from the District of Graaff Reinet as their services there were no longer necessary; however the public disorders were soon after renewed by the Caffres and Hottentots dwelling on the confines of the Colony with whom hostilities commenced of a distressful kind, and by the effects of which the lives and properties of the White Inhabitants as well as the authority of Government itself were seriously endangered, as the Savages having supplied themselves with Arms and Ammunition, committed acts of Outrage and barbarity throughout the Country which local circumstances made it difficult if not altogether impossible to prevent.

It is proper here to communicate to Your Excellency the causes of the unfortunate Hottentot and Caffre War in which the Colony has been recently involved, which are as follows :—

I must in the first instance observe that as some time previous to the Capture of the Cape by His Majesty's Troops in 1795, the Government of the Dutch East India Company had resolved upon the extention of their limits from the Camtoos to the Great Fish River the English Government has naturally considered that agreeable to the terms of Capitulation the last mentioned River forms the boundary of the settlement to which His Majesty's jurisdiction extends. Some hordes of Caffres however who formerly dwelt on the Camtoos River have remained within the limits of the Colony on the banks of the Sunday and Boshesmans Rivers who have been represented to the late Governor Earl Macartney and likewise to me as Refugees or Desertors from the Great Caffre Nation from the further side of the Fish River, though the Caffres on this side have never been compelled to quit the Banks of the two Rivers already mentioned, and it is to an error respecting the situation of those Caffres, with the violent and injudicious attempts which were made for the purpose of driving them over the Great Fish River our late contests with them are to be ascribed; hostilities having been commenced with the said Caffres soon after the successful termination of the Military operations against the

Dutch Boors in the month of April last, the result of which has been already mentioned.

Many of the Hottentots of the District of Graaff Reinet having been induced to abandon the farmers with whom they had long lived in a state of Slavery and under oppression, they joined the English Troops and the Standard of Br. General Vandeleur upon his first appearance in the Country in the month of March, a circumstance which very much discouraged the Rebel Boors who had made every possible effort to secure the fidelity and assistance of the Hottentots who are accustomed to the use of fire arms and excellent Marksmen; therefore this desertion contributed to the success of the Brigadier's subsequent operations against the Boors, but unfortunately the Hottentots being of a nature extremely fickle and inconstant, preferring a wandering mode of life to any other, and perhaps there having been found negligence on our part with respect to the proper and timely disposal of the Crowds of Hottentots both Men and Women and Children which had joined Brigadier General Vandeleur's Corps, they very soon became suspicious of the good faith or intentions of the English Government towards them and possibly fearing to be compelled by us to return to the habitations of their old Oppressors the Boors many of the Hottentots thereupon unexpectedly quitted Brigadier General Vandeleur's Detachment, and uniting with the Caffres their fellow Savages they suddenly attacked together with them the houses of the Country people, plundering and desolating the Country of Graaff Reinet and murdering the defenceless Inhabitants.

I have thus recited in a few words the occasion of the Union between the Caffre and Hottentot hordes with some other particulars to which may (be) attributed our subsequent troublesome transactions with these Savages.

It has always been my intention to acquire the friendship of the Savages dwelling on the Confines of the Colony as I conceive it to be an essential Object for the English Government to secure to itself under the present circumstances of this Country and the dispositions of the people, but as it was signified to me that the Caffres being suffered to remain on this side of the Fish River was incompatible with the permanent tranquillity of the Country I was prevailed upon to direct that by means of a negotiation, or by giving some of the customary presents to the Caffres those should

be induced who it was supposed had left their own country to return to it; but unluckily in carrying my intentions into effect a petty warfare between His Majesty's Troops and the Savages took place the distressing effects of which upon the country at large were immediately felt, and it was to put an end to them that I found it necessary to leave the Seat of Government in the beginning of August last, it being apparently at that time impossible for me to rely upon any other judgment than my own or upon vague and contradictory reports for making a decision as to the measures which could restore peace or protect the Colony.

As the Dutch Inhabitants of this Colony in general are by their nature and the habits of their lives so extremely timid and indolent as to be altogether disqualified for the fatigues of a military life, and as it was found to be almost impossible for regular Troops to follow with any likelihood of effect through Fastnesses and over a wide and mountainous Country, Savages or Gangs of Plunderers, who capable of eluding every pursuit could not be attacked but were able to commit according to their pleasure and almost upon every occasion with impunity acts of unparalleled cruelty or mischief, therefore after considering upon the spot the situation of things in Graaff Reinet and on the frontiers of Swellendam at my arrival there in the beginning of September I resolved to endeavour to cure the disorders and remedy the evils of the Country by making peace with the Caffres and at the same time if possible to pacify and regain the confidence of the Hottentots; however at all events it was necessary to break off the confederacy or league which had been unhappily formed for the first time between the two sets of Savages, since it was evident that by a combination of Caffres and Hottentots, owing to the dispositions of the Dutch peasantry and the local circumstances of the Country as already mentioned, the whole Colony was threatened with destruction.

Having now stated to Your Excellency the circumstances which arose and the condition of public affairs previous to any attempts for making peace, I am now to detail the steps that were taken in order to attain peace, to which I propose to join my opinion of the Measures necessary for its preservation, and to which desirable end Mr. Maynier's Instructions and the system of conduct under which he acts in the Districts placed under his authority have been solely framed.

The communicating in the first instance with the hostile Caffres

and Hottentots was known to be attended with some personal danger to any one who should venture to visit them for that purpose, since Savages know not how to spare but destroy without any ceremony any one who approaches them when in a state of war whom they consider as an Enemy, I am bound to acknowledge that it is to the courage and address of Mr. Maynier to which the public is indebted for the restoration of tranquillity on the confines of this Colony, as he did not hesitate at my desire to go to the kraals of the Caffres and Hottentots to communicate to them my arrival in their Country with a view, as he informed them, to remove every grievance and to do justice to all descriptions of Men, and through the exertions of this Gentleman with his perfect knowledge of the habits, dispositions and propensities of the Savages with whom he had to treat there was not much difficulty in bringing them to submit themselves to such conditions as I was willing to prescribe.

The attention of Mr. Maynier has been directed to, since the conclusion of the peace, and his Instructions consist in the following points.

1st. To endeavour to convince the Hottentots and Caffres that it is the intention of His Britannic Majesty's Government to alleviate the sufferings of the former, and to prevent in future the injustice which upon many occasions has been done the latter on the part of the farmers in their dealings with them.

2ndly. To see that a Register of the Hottentots, Men Women and Children who are employed in the service of the different farmers is established and kept at the Drostdy by the Landrost in which is to be specified the names of the parties, Farmer and Hottentot, with the age condition and term of service of the latter, and the Landrost is likewise instructed not to suffer with impunity any acts of Violence or Cruelty as have been usual on the part of the Farmers towards the Hottentot.

3rdly. As the Native Hottentots possess no property in the Country, having been deprived of their Cattle and lands by the European Settlers in Africa, they have no means of procuring subsistence at present unless at the Houses of the Country people, therefore Mr. Maynier is employed in persuading as many as possible of the runaway Hottentots to return to the Service of the Farmers under the protection or guarantee of the Register with the exception of a few of the Hottentot Captains whose individual

safety would be endangered by returning to the Boors, as they have become particularly obnoxious to them; therefore Mr. Maynier has been instructed to point out to Government such unoccupied plantations or grounds as can with propriety be appropriated for the use and accommodation of the Hottentot Captains with their adherents, it having been likewise desired that they may be at the outset supplied with such articles as they stand in essential need of to enable them in future to provide themselves with provisions and necessaries.

4thly. With respect to the Caffres on this side the Fish River, Mr. Maynier has been directed to allow them to remain at their kraals on the banks of the Sunday and Boschsmans Rivers or in other words in the situation in which we found them, provided however that they do not molest the Boors dwelling in their neighbourhood, and as it has been hitherto experienced that the Caffres are faithful to their engagements, if not attacked, there is no reason to apprehend from the Caffres on this side the Fish River a renewal of hostilities.

5thly. The residence at this time of a few of the disaffected Dutch families consisting of Nine or Ten with the Great Caffre Nation on the other side the Great Fish River where they fled to avoid the Troops under Brigadier General Vandeleur is a matter of considerable importance to the Colony, as it cannot be doubted that should any war take place with the Great Caffre Nation it will take its origin from them, consequently Mr. Maynier has been desired to use his best endeavours for withdrawing those people out of the Caffre Country, and by a free pardon for past offences, but on renewal of the oath of allegiance, to induce them to return into their own Country.

6thly. As many of the Dutch farmers as shewed themselves well disposed towards the British Government upon the first disturbances of their countrymen have unfortunately suffered in their property by the late depredations of the Savages, some of those people having confided upon the presence and protection of His Majesty's Troops within their District, directions have been given to Mr. Maynier to obtain and transmit to Government in Cape Town a list of all such innocent and unfortunate persons, so as to be able to determine as to some relief for them, which the power of giving a preference in the Grant of Lands, and some other indulgences may hereafter enable Government to afford.

7thly. The necessity that the Lieutenant Governor was under of leaving Graaff Reinet before a restitution took place of any proportion of the Cattle taken from the Farmers by the Hottentots and Caffres rendered it requisite to leave with Mr. Maynier the making such final arrangement as he might find practicable upon that head.

8thly. A Sum of Money having been collected as a fine, and paid by the persons concerned in the rescue of Van Jaarsveld it has been appropriated as a fund to enable Mr. Maynier to grant pecuniary compensation to those Farmers and their families whose losses and poverty require more particular consideration. The money levied on the score of Fines amounts to about 9000 Rixdollars to which will be added the value of the Cattle taken from the Caffre hordes by the Troops and applied to their use by the Commissary on the public account, and who has been directed to pay for the Cattle accordingly ; Mr. Maynier has been directed to attend to this subject, and will report to Government as soon as possible the steps he has taken respecting the money or the application of it.

9thly. As being a matter of the greatest public importance Mr. Maynier has already been employed to strengthen and secure a good understanding with the Caffres and Boschesmen in general, and the great Caffre Nation in particular, having paid one visit before my departure to Guyka their King for that purpose. As it is in the power of the Savages to disturb and distress the Country, it is certainly convenient for the Colonists to be at peace with them, but I consider their friendship to be above all things at present the true interest of the British Government.

10thly. As all the contests and disputes which have taken place between the Caffres and the people of the Colony have originated in an illicit trade for Cattle carried on under circumstances of much injustice on the part of the Boors, it will be necessary for Government to enforce the laws already existing relative to the Caffre intercourse with the Inhabitants or to enact new ones upon that subject, therefore it has been recommended to Mr. Maynier to point out or recommend some plan to Government at the Cape, by means of which an exclusive trade with the Caffres if necessary for Cattle may be established with the sanction or under the superintendency of the Agents of Government.

11thly. The events which have taken place in the District of

Graaff Reinet having evinced the necessity for the presence of the Troops in that quarter in order to awe the turbulent Inhabitants and for supporting the Civil Magistrate in the execution of his office, a Post has therefore been established near the landing place on the coast of Algoa Bay named Fort Frederick. The Military station is secured upon ground the most eligible for it by means of a Block House and Stone Redoubt furnished with Cannon and a Garrison consisting at present of 300 men under the command of a Field officer whose orders are to enforce the strictest regularity and discipline amongst the Troops essential with respect to the conduct both of officers and men, Major Lemoyne having been also directed to act upon the defensive until such time as he obtains orders from head quarters, but to assist and co-operate with Mr. Maynier in promoting the Public Service in the District of Graaff Reinet to whose sentiments Major Lemoyne has been desired to pay the greatest deference and respect, and to whose instructions he will strictly attend to and conform.

I have not given in the foregoing pages minute details, nor do I pretend to have fully stated all the particulars which occurred in the course of the late disturbances, from a recital of which Your Excellency would derive neither pleasure nor requisite information.

It is not my intention to presume to trouble Your Excellency with any reflections of mine relative to the past nor observations as to the future management of affairs in the Country Districts of this Colony, however I think it proper to repeat that as the late Caffre War took its origin or foundation in a mistake and was contrary to our interest, true policy required us to put an end to it.

The confidence in and affection of the Caffres for our Government have been certainly lessened by late events, but I am of opinion a wise and prudent system of conduct may be expected to remove their prejudices and reconcile them to us.

The duration of a new War with the Caffres should such a War happen, could not be estimated, and it is more than probable that it would bring along with it disappointment and disgrace.

The agitation into which the minds of the different descriptions of people in the District of Graaff Reinet have been lately thrown cannot be suddenly repressed, and possibly some of the Hottentots will continue to be guilty of crimes or for a time may commit

outrages, nevertheless a formal warfare with them ought also to be avoided.

I have now said enough for affording Your Excellency according to your desire a competent knowledge upon a subject respecting which you required information. If I have said perhaps too much it has proceeded from my anxiety to comply thus amply with your commands. I have etc.

(Signed) FRANCIS DUNDAS.

[Copy.]

*Answers to Questions proposed by SIR GEORGE YONGE relative
to the District of Graaff-Reinet.*

24th February 1800.

Question 1st.

What are supposed to be the causes and first origin of the first Insurrection?

Answer.

The weak Administration of the Dutch Government, the remote Situation of the Boors, and the consequent difficulty of laying hold on any Criminal amongst them; accustomed to their own wills, and to obey the first impulse of their unruly passions, living almost insulated, surrounded by nothing but their Hottentots whom they treated in an arbitrary manner, they considered themselves as independent of all legal restraints, despising their Magistrates and the orders of their Government upon all occasions. Added to this a number of the Soldiers of the disbanded Regiments in the Dutch Service on our taking the Cape had been allowed (perhaps inadvertently) to settle in the Country, and almost every Boor of any consideration had one of them employed as a Schoolmaster to his children.

These men carried with them into the country the first principles of Jacobinism and Republicanism which they had been taught at the Cape, the effects of which have since shewn themselves, the ignorant Boors having soon professed themselves Patriots before they knew more of the meaning of the word than that it required them to oppose the existing Government.

In order to afford Your Excellency more complete information respecting the habits of these people, I have to observe to you that they are accustomed from their infancy to the use of firearms; this no doubt had its effect also, and they thought that what their folly had brought them to begin, their skill in the use of their weapons would enable them to perform, not suspecting courage to be also requisite to resist successfully a determined Enemy.

Van Jaarsveld (whose rescue from the few dragoons guarding him was the first act of hostility committed although not the origin of the Insurrection for which a plan had been some time formed) was a man of consideration amongst them, having been Veld Commandant of the remotest Settlers before the Dutch Government had constituted the present District of Graaff Reinet into a Drosty or Province and appointed the proper officers for the management of its concerns.

I cannot conclude this article without observing to Your Excellency that the Boors are the strongest compound of cowardice and cruelty, of treachery and cunning, and of most of the bad qualities with few very few of the good ones, of the human mind.

Question 2nd.

What are the circumstances alluded to or the conduct on the part of the English which gave suspicions to the Hottentots of a want of good faith, and how soon did their suspicions shew themselves?

Answer.

It is necessary to observe in answer to this question that the Boors had placed no small reliance on the assistance they supposed they could receive from their Hottentots to whose defection I am convinced in a great measure we may attribute the conclusion of the operations against the Boors without bloodshed.

The many injustices and cruelties they had suffered from the Boors inclined them naturally to favor the English whom they looked upon as their Deliverers.

After the Boors had surrendered and were confined, the Hottentots profited of that moment of alarm to get possession of arms but the general tranquillity of the Country demanded their being

taken from them which was done, and which was the first thing that awakened any suspicion of foul play. So treacherous and bloodthirsty are the Boors who were the only white people whom they had ever seen or had had any intercourse with that it was but natural that they should be suspicious.

They remained however quietly at our different quarters but repeatedly mentioned that it would be impossible for them to subsist in the Country after the Troops were withdrawn, as the Boors would in all probability murder them, and requested that Government would point out some method for their future subsistence and allot them some ground.

About one hundred of the youngest of them enlisted in the Hottentot Corps.

The greater part of the Troops having been sent back to Cape Town and seeing that the Caffres remained in statu quo notwithstanding the endeavors of our Troops and of the Dutch Boors, and from the circumstance of the Boors having been called on to join us to attack the Caffres, they began to think there was a possibility of their being restored to their ancient oppressors, and that a union with the Caffres (with whom they otherwise are generally on bad terms) would tend much to render them independent of the Boors. The Caffres on the other side were no doubt glad to receive a considerable reinforcement of men who were accustomed to the use of fire arms, and they began immediately upon this union to plunder and burn the farmers houses, and seize their Cattle for their subsistence. The Farmers looking up to us for protection and flocking around us appeared to the Hottentots to be the cementing of an union against them more and more, and there cannot be a doubt that if the pacific measures had not been adopted at the moment they were, every Hottentot in Graaff Reinet, Swellendam and Stellenbosch would have deserted to their brethren in arms, who strengthened by the accession of such numbers would have carried desolation and destruction over every part of the Colony.

To sum up then the occurrences that gave the Hottentots reason to suspect us and in the end to abandon us, they were as follows:—

1st. Their having been disarmed.

2ndly. The Boors having been called in to unite with us in an attack upon the Caffres.

3rdly. Fear of being obliged to return to their ancient oppressors after the Troops were withdrawn.

4thly. The Caffres equally enemies to the Boors and to the English at that time appeared to be the most likely people to protect them from the Boors and indeed who would be glad of such an accession of strength, and with whom they could live in an unoppressed and independent manner.

Question 3rd.

Did the Hottentots quit General Vandeleur before or after the Troops were withdrawn, and had they previously impressed their dissatisfaction or made any complaints, and to whom, and if any were made was it before the Troops were withdrawn, or had any steps been taken to justify these complaints?

Answer.

This question is so intimately blended with the preceding one that the answer to the one may almost serve as an answer to the other, however it may perhaps be necessary to add that no steps had been taken to satisfy them as to their future subsistence. The officer commanding upon the spot could not take upon himself to interfere with the political arrangements of the District, and had only attempted to satisfy them with words until my orders could be received. I allowed as many as thought proper to enlist in the Hottentot Corps, ordered them all to be subsisted for the present, and most certainly they were uppermost in my thoughts and plans for the future settlement of the District of Graaff Reinet, but before I could have time to make any arrangement in consequence of the distance of the Seat of Government and the time that necessarily elapsed in my communications with Algoa Bay, the reasons given in answer to the second question induced them to leave us.

The Hottentots left us after the Major Part of the Troops had been sent back, and indeed when the number of Troops at Algoa Bay was inconsiderable expecting as before mentioned that they would most probably be all withdrawn which was in fact in contemplation after all chance of hostilities had ceased, and the

Hottentots apprehended that in that case they would fall a sacrifice to the fury of the Boors.

Question 4th.

Are there any other places fit for landing besides the spot where Fort Frederick is erected? and how near are they, and is this the most commodious landing place in the Bay, and the most likely to be attempted?

Answer.

The Beach near the spot which is at present occupied by the British Troops is by far the most commodious spot for landing, the most sheltered from the winds, and the nearest to the usual anchorage ground, but there are fifty other places where people may land not only in Swartkops or Algoa Bay, but close to the Westward there is Camtoos Bay, the Cromme River Bay, Plettenbergs Bay, and in fact the whole coast is a succession of open Bays where at times a landing is practicable; but the idea and expectations conceived of the Post called Fort Frederick were never raised so high as to suppose that 350 men with the assistance of a small work could possibly prevent an Enemy from landing along a Coast of nearly 600 miles in length. The utmost that has ever been expected is that the Troops left there may be able to preserve themselves against any internal Foe, and against any external one, so far at least as to oblige him to come in force as nothing like a *coup de main* can carry the works erected or erecting there, and to be able to carry this Post an Enemy must land some heavy Guns, a matter of some difficulty in face of our Troops upon (at the best of times) a beach where there is always a pretty considerable surf.

If the Enemy in consequence determines to land his cannon at the Cromme River Bay or any other spot remote from Fort Frederick in order to attack it, the transporting of his Guns, with the passage of two or three Rivers which flow between the two Bays would afford time for intelligence of his operations to be conveyed to Cape Town.

I conceive that even after the landing of the Guns of an Enemy the Garrison may hold out some time (my calculation is a fortnight) even supposing no previous intelligence to have reached

them of an intended attack, as in that case it would be an easy matter for a few mounted men and Hottentots to drive the country to a certain extent, and deprive the Enemy of Draught Cattle and other supplies which would materially retard his operations.

The works consist of a small Block House for sixty men erected close to the watering place for the security and certainty of water, and having some stores and huts for the men under its protection, there are likewise two 3 pounders in the Block House.

A little more retired on an Eminence stands a stone Redoubt of 80 feet square with two 8 pounders, the walls being 9 feet high, and it being intended to Stockade and *troup de coup* around it; it completely commands the Block House and all beneath and might likewise command a Sea Battery of some heavy Guns with a furnace, if judged necessary, for the protection of our shipping or the further hindrance of an Enemy landing near the Post or even anchoring in the Bay. An invading Enemy would in all likelihood attack our possessions in that remote part of the Colony being induced to do so by the invitation of the disaffected and the information received from them, and most undoubtedly their first step would be to get possession of this Post, for while it continues in our possession our Garrison there can either be relieved or reinforced at pleasure, and it becomes our *Depôt* for any future operations.

The utility of this Post must likewise be considered as great in respect of the preservation of public tranquillity and as a check upon the turbulent disposition of the Boors.

The Boors had never certainly any idea that the British Government would or could send Troops to those remote parts of the Colony, and seemed to have acted accordingly, but having shewn them that the arm of Government can reach them, it became necessary that so salutary a Lesson should not so speedily be forgotten.

If unfortunately it should become necessary hereafter to march against any number of them again in arms, a point from whence you can direct your operations, where your supplies can be received, and if unfortunately (which must always be looked to) our Troops are beaten, a safe retreat with a supply of water and where no force can cut off your communication with your shipping will be of the utmost importance to possess.

Furthermore whilst a British Fort exists in that Country the Farmers will pay their rents a thing heretofore unusual, the treatment of the Hottentots will be better and in general the administration of the Country will find its orders and regulations more punctually attended to; perhaps these last mentioned advantages might have been procured with a smaller Garrison, but it became necessary not only to think of the existing circumstances but what might occur and the safety and security of the Garrison, the prosperity of the English name which would receive a severe shock from any accident happening to the Garrison made it necessary to leave one of the present numbers.

The Commanding Officer has been most positively ordered to act on the defensive only, and to hold out if possible until he is relieved or reinforced from here, for this purpose his Garrison is sufficiently strong, nor should I be very willing to trust any officer under the rank and experience of a General Officer with the direction of offensive operations of such magnitude and importance.

Question 5th.

How many hours march is Fort Frederick from the Drostdy of Graaff Reinet? Is the road commodious or are there any passes on the way which if possessed by an Enemy might either incommode or interrupt the communication between Fort Frederick and the Drostdy, and if any what are they?

Answer.

The distance between Fort Frederick and the Drostdy of Graaff Reinet is about 190 computed miles or about (as we found by experience) nine days march.

The Passes are amazingly strong and the road is to be defended by few against many with success; one pass in particular called the Poort is almost impassable in face of a resolute enemy.

Several other parts of the road are to be passed with great caution supposing an Enemy in your neighbourhood.

Question 6th.

Is the situation of Fort Frederick such as to facilitate the entrance into the Caffre Country (if there should be occasion) or stop the Caffres from invading the Colony on that side should they attempt it or defend the Country if they did invade? Have the Passes if any on that side been examined and what are they?

Answer.

The situation and intent of the Post and Establishment at Algoa Bay have been already so amply detailed in answer to some of the preceding questions that any thing more that I could add on the subject to your Excellency would be almost deemed superfluous.

Fort Frederick has no connection whatsoever with the Caffres no more than it might serve as a Depôt to receive Stores &c. landed at the Bay under its protection.

The distance in a right line from it to the mouth of the Great Fish River is about 130 miles along the Coast. The Caffre Country extends perhaps from the mouth of the Great Fish River Northward to the Bosjesman Country about 300 miles bordered by the Settlements of the Farmers the whole way; therefore it may be seen at once that neither Fort Frederick nor any given number of similar works or military positions could possibly guard such an extent of Frontier from the possibility of Invasion. It may perhaps be necessary to add in reply to the question proposed by your Excellency that Fort Frederick has never been considered as a Post liable to be attacked by Caffres, and that it will afford little or no protection to the Country in general if invaded by the Caffer Nation.

Question 7th.

What is the extent and dimensions of Fort Frederick and of the Works proposed to be erected there, and has any estimate been made or account given in of the probable charge of erecting them, and how soon could such an estimate be made?

Answer.

The works having been described in the answer to Your Excellency's 4th question it is only necessary to mention that the Block House having been constructed in Cape Town and sent by Sea unavoidably cost a considerable Sum.

The Redoubt will only cost the mere expense of labour and Tools: Limestone and Stone for building, Timber and everything necessary having been procured for nothing on the spot.

The Engineer charged with the abovementioned Works keeps his accounts in a clear and regular manner; no Estimate was made, as from a number of concurring circumstances it was impossible to make one, but as the work will shortly be finished the total of the expense may easily be ascertained.

Question 8th.

What are the circumstances which have rendered it necessary to withdraw the Troops again before the confederacy between the Caffres and the fugitive Hottentots is broken, and before the success of Mr. Maynier's Embassy to the Caffres is known?

Answer.

A very considerable number of Troops was marched up the country to stop an evil which was daily increasing.

Having been able to restore peace (without having recourse to the exertions of the Troops) as a proof of the sincerity of which I myself spent three days and two nights with the Chiefs or Captains of the Caffres & Hottentots unattended and unarmed whilst surrounded with hundreds of their followers; having seen considerable progress made in the arrangements for the future tranquillity of the distant district and having every reason to believe that they will effectually answer this desirable end, it became highly necessary to remember the weakness of the Garrison at Cape Town and to withdraw as many men from the District of Graaff Reinet, as could with safety be spared.

It is needless to recapitulate to your Excellency that a Field Officer and 350 Men and six pieces of cannon remain in a strong

and advantageous post well supplied with Ammunition and Provisions.

The object of Mr. Maynier's Embassy to the Caffres seems to be forgotten by your Excellency.

We were never at open warfare with the Great Caffre Nation, although had it not been for timely peace, they undoubtedly would have assisted their brethren.

It appeared a matter of importance to secure their friendship, and even if possible to be on such terms with their Chief as would induce him never to harbour any delinquent who might fly from the pursuit of this Government.

It is likewise an object of importance as mentioned in my Report to your Excellency to withdraw the fugitive Dutch families from the Caffre Country.

For the above mentioned reasons have presents been sent to the Caffre King, and also to obtain these desirable ends was Mr. Maynier sent upon the Embassy.

Having now finished the answers to the questions proposed by Your Excellency permit me to observe that if I have trespassed too much on your time by the length of the different answers, it has been solely occasioned by my anxious wishes that Your Excellency should be thoroughly informed of a very complicated business, and from what I have stated in the Report I had the honor to make, as well as in the present answers to Your Excellency's questions, I make no doubt but you will concur most heartily with me in the following observations.

1st. That the Friendship of the Caffres of whatever side of the Fish River they may be it is our interest to secure, I had almost said at any price.

2ndly. That the Boors being a troublesome and disaffected race of men have made and no doubt will make false representations respecting our Government and our intentions to the Caffres which impression it is our interest by a series of good offices to remove.

3rdly. Having succeeded in restoring tranquillity any new warfare originating with us I beg leave to assure Your Excellency would be attended with the very worst consequences and a series of incalculable evils by all possible means to be avoided.

4thly. That supposing a war with them to be successful in the extreme and that you deprive them of all their Cattle, want and

necessity will force them to become plunderers in their own defence. They will steal the Cattle from the Farmers to subsist upon; the Boors in return will steal their Cattle and Murders, Robberies with all their concomitant Evils must be expected.

5thly. Every impartial Spectator is convinced that the present condition of the Hottentots is deplorable. The system of having their Names, Time of Service, Wages agreed upon, and their Master's name inscribed in a Book to be kept at the respective Drostdies will certainly be attended with excellent effects. Regulations respecting their treatment and for restraining the Farmers from bestowing corporal punishment upon them *ad libitum*, and for forcing their Employers to pay them their stipulated agreement may also be carried into effect, and I have no doubt that by judicious management the Hottentots will prove most useful and industrious Servants, nor will they then have that inducement which they at present have to leave their Masters at every opportunity.

6thly. From the want of energy in the old Dutch Government in their conduct towards the remote Settlers, they are at present a very licentious race of men; but a steady conduct on our part with impartial justice between them and the Hottentots, shewing them that they are and must be amenable to the Laws when guilty will no doubt preserve the future tranquillity of the Country.

If I should be so happy as to find that my sentiments on this intricate business agree with Your Excellency's it will afford me no small satisfaction. I have &c.

(Signed) FRANCIS DUNDAS.

[Copy.]

PROCLAMATION

By SIR GEORGE YONGE, *Baronet, &c., &c.*

Whereas it appears to me upon enquiry that a considerable time has elapsed since an Opgaaf or Return has been given in to Government by the Inhabitants of this Colony of the Property

and Stock they possess, and as it is a matter absolutely necessary for the welfare and prosperity of the Settlement that Government should have the most accurate Information that it is possible to obtain on those Points, I do hereby order and require, and by Virtue of these Presents it is hereby ordered and required, of all and every one of the Inhabitants that they do personally appear before the respective Landrosts or Magistrates of their Districts, and then and there declare upon Oath, which Oath shall be the truth, the whole truth, and nothing but the truth, what their Property consists of, agreeable to the Regulations established at the giving in of the last Opgaaf, with the following additional Articles: That they shall at the same time give in a Return of what Servants they have in their Employment, whether white persons or Hottentots, what their names are, sex and age, their Native Country, and upon what terms they are employed, and for how long a time; also the number of the house and the name of the street they live in, if in Cape Town; if not, then the name of the Farm where they reside, and how many they possess, and in what Districts they are situated. Young Men having attained the age of sixteen are to give in a List of their Property (if they possess any) separate from their Father's, if not, they are to be included in the List of his Children, but their ages specified. Daughters who shall have arrived at the age of 25 years, and continuing to live with their Parents, are to be marked separately in the List of their Children.

Besides the regular Opgaaf List, a Return must be made to Government of such Natives of the Colony as have been stated in the regular List of Burghers, and also of such Foreigners as have obtained from Government their Freedom as Burghers; likewise a correct List of all such Persons as have held any employment under the Dutch Government, and all such as have arrived here since the surrender of the Colony and having obtained passes from the present Government continue to reside here.

The People of Colour, Bastards, and other Hottentots, if not in any Person's employment, but *living by themselves*, are hereby ordered and commanded to give in their names to their respective Magistrates, in order that a List may be made of them likewise.

And in order to establish Regularity with respect to the time when such Lists and Returns are to be given in, I do hereby require and command the Fiscal and two deputed Members of the

Court of Justice to attend in the house of the Burgher Senate every Tuesday and Friday at the hours of from 10 to 12 in the forenoon from the 1st of April to the 1st of June for the purpose of receiving the Opgaaf or such other Returns as are herein specified, from the Inhabitants of Cape Town and the District thereof.

The Landrosts of the different Country Districts will regulate the time most convenient for the Inhabitants of their District to appear at the Drostdy for the forementioned Purposes.

And any Person or Persons who, regardless of these my positive Orders and Commands, shall either neglect or refuse to give in upon Oath such Return or List as is hereby required of him or them, shall upon conviction of such Neglect or Refusal pay a Fine of 500 Rixdollars, and in case of inability on the part of the offender to pay the above mentioned Fine, the Person or Persons so offending shall be imprisoned for the space of 6 or 12 Months, according as the Circumstance or Nature of the Offence may require, or as the Court before which the Delinquent shall be proved guilty is pleased to direct.

And in order that no person whatsoever may be able to plead ignorance of these Orders and Commands, I do hereby direct that these Presents be immediately published and affixed at the usual Places throughout the Colony.

Given under my Hand & Seal at the Castle of Good Hope this 28th February 1800.

(Signed) GEO. YONGE.

[Copy.]

PROCLAMATION

By SIR GEORGE YONGE, Baronet, &c., &c.

Whereas His Majesty's Receiver General by his letter of the 14th February last has represented to me that he has a considerable amount of worn out and defaced Paper money, collected from the several branches of Revenue in his hands unfit for circulation, and whereas he has requested that the necessary Exchange of new

Pieces for such worn out and defaced Paper money may take place. These are therefore to require and direct, that the Secretary of the Court of Justice do on the 11th Instant attend at the Castle, where on application to the Secretary of Government (in whose custody they are) he will receive the Stamps, together with the number of pieces of Card necessary for the purpose; and that he do in the presence of the Fiscal and two Members of the Court of Justice, who are hereby required to attend at the time aforesaid, at the usual place, and in the usual manner, cause the Number of Pieces mentioned in the Margin to be stamped, which Pieces when so stamped are to be delivered by the Fiscal and Members of the Court of Justice aforesaid to the said Secretary of Government, to whom they are also at the same time to return the Stamps, which Stamps being replaced in the Box in which they are usually kept, the Box shall be sealed with my Seal & with that of the Court of Justice, so to remain until further wanted; of all which the Fiscal and Members of the Court of Justice are to make a public Act of Certification in the presence of the Court, on the next Court day, to be registered on the Records of the Court.

And it is further directed, that such Stamped Pieces, being by the Secretary of Government delivered to the Custody of Mr. Jacobus de Wit secretary to the Board of Revenue, it shall be his business to prepare the same, by marking the value of each piece in plain Characters, on the top of the Card, together with the number, beginning with that of the last number of the former issue of each separate denomination of money above the value of one Dollar, as also the day of the date of this Warrant underneath. After which the whole of the pieces shall be signed by Messrs. C. Matthiessen, J. P. Baumgardt, and P. J. Truter Members of the Court of Justice.

And it is also further directed that such money so stamped and signed do remain in the Custody of His Majesty's Receiver General, until Report be made of its being finished, when such further orders shall be given for the Exchange thereof as may be expedient.

And for these several Matters herein mentioned, this, the original of which is lodged in the Records of the Court of Justice, shall be to all concerned a full and sufficient Warrant, and for the public Information and satisfaction it is further directed that

it be published and affixed in the manner usual with all other Proclamations.

Given under my Hand & Seal at the Castle of Good Hope this 3rd day of March 1800.

(Signed) GEO. YONGE.

[Original.]

*Letter from MAJOR GENERAL DUNDAS to the RIGHT
HONOURABLE HENRY DUNDAS.*

CAPE OF GOOD HOPE, 4th March 1800.

SIR,—It is not my intention upon this occasion to occupy many moments of your time, but having had the honor to mention in my letter dated 6th April 1799 that competent judges should be appointed to investigate the claim of Mr. Ross in behalf of the Captors of the Cape to a Sum of Money arising from a Sale of Corn found in the Public Granary at the Surrender of this Colony, I am now to acquaint you that the fact having been ascertained upon which the question of a right to the Corn has depended (according to the opinion given by His Majesty's Advocate General upon that head as stated in your Letter dated the 15th December 1798, and addressed to Earl Macartney) the sum of Rixdollars 74,616—3 sks. 2 sts. has been accordingly repaid by the Receiver General into the hands of Mr. Hercules Ross the Prize Agent for the benefit of the Captors being the Detachment of His Majesty's Troops which served in the reduction, and was present at the Capture of the Settlement.

I have the Honor to enclose a Copy of my letter to His Majesty's Fiscal at the Cape relative to the Corn in question, likewise his reply upon the same subject; and as it has appeared from the answer of Mr. Ryneveld that the Corn claimed by the Captors actually belonged to the Dutch East India Company and not the property of the Administrators of the Granary who were considered merely as Trustees of the Company, not the legal Owners of the Corn; I hope the manner in which this point of controversy between the public and the Captors of the Cape has been decided is in conformity to your Instructions, and so as to meet your wishes and His Majesty's approbation.

The obligation which I consider myself under from the period of the departure of the Earl of Macartney to the arrival of the present Governor to render you some account of public transactions in this Country had determined me by an early opportunity to endeavour to convey to you as particular a relation as possible of the events which took place in consequence of the disturbances lately existing here but as I have already committed to writing in the form of a Report addressed to the Governor Sir George Yonge an account of all such points of information relative to our affairs here as in my power to afford it is unnecessary to trouble your attention with farther or more minute details.

The Paper inclosed contains answers to some queries sent me by His Excellency the Governor upon the forementioned subjects, a perusal of which may perhaps tend to illustrate the system of measures which in my opinion ought to be pursued for promoting the prosperity of this extensive Colony, since I am persuaded that a steady adherence to the Instructions left with Mr. Maynier the Commissioner at Graaff Reinet will prove well adapted to secure at the same time with the happiness of His Majesty's subjects, the safety and honour of His Government.

Were it necessary to detain you I might add some account of the causes of the recent disorders on our Frontiers which were in some degree owing to our ignorance at the Seat of Government of our political interests and of the local circumstances in those remote parts of the Colony. The melancholy and vexatious events which took place might have been prevented by a more prudent and judicious conduct, but it is needless to reflect and lament too deeply upon past misfortunes though too much attention cannot be shewn for the prevention of similar evils in future. I am now convinced that (unless a foreign Force or foreign Emissaries are introduced with a view to interrupt the Public tranquillity) the peace of the Colony and the Security of Government rest upon our own good Policy and discretion.

Having nothing farther to communicate upon the present occasion, I have &c.

(Signed) FRANCIS DUNDAS.

[Enclosure A in above.]

W. S. VAN RYNEVELD, ESQRE.

SIR,—My Predecessor, the Earl of Macartney, having transmitted to His Majesty's Secretary of State copies of his correspondence with Mr. Ross, relative to the proceeds of some Wheat which Mr. Ross as Agent for the Receipt of Public property Captured at the Cape of Good Hope, claims on behalf of the Captors; declaring that the said Wheat was not delivered over, along with the rest of the public property from the circumstance of its having been represented as conducive of much inconvenience, if not allowed to be disposed of by the administrators thereof, in the usual manner; who in consequence of this arrangement, remaining charged in the List of Debtors to Government with the amount of the Monies advanced for the purchase of that Wheat, This Claim was laid before His Majesty, who was pleased to submit it to the consideration of His Advocate General; whose report thereon I have now before me; and as it appears to be his opinion: "that if the Administrators of the Public Granary were the legal owners of the Corn, such Corn belonging to them as their private property, the pretensions of Mr. Ross on behalf of the Captors are without any just foundation; but on the other hand that if the Corn itself was public property, the Administrators being mere trustees for the Dutch East India Company and accountable to the Treasury for the proceeds of the Sale of such Corn; and that the Corn itself from considerations of public convenience was not actually possessed by the Captors, but was suffered to be distributed by the Administrators; in that Case the Claim preferred on the part of Mr. Ross is well founded."

In order therefore to ascertain this point, and to obtain a public and clear decision upon the subject, I have deemed it expedient to refer to you the question, stated by His Majesty's Advocate General; and am to request that you will declare to me, if the Grain in the Public Magazines, of which the proceeds are claimed by Mr. Ross, was the property of the late Government, or the private and individual property of the Administrators thereof. I am &c.

(Signed) F. DUNDAS.

CAPE OF GOOD HOPE, 20th May 1799.

[Enclosure B.]

MAJOR GENERAL DUNDAS, &c. &c.

SIR,—I am honored with your Letter of yesterday's date, relative to the Proceeds of some Wheat claimed by Mr. Ross on behalf of the Captors, as Agent for the receipt of public Property captured at this place; and requesting my opinion whether the said Wheat was the property of the late Government, or the private individual property of the Administrators thereof.

In answer I have not the smallest hesitation in declaring,

That the Administrators of the public Granary were not the legal owners of the Corn; but that the Corn claimed by Mr. Ross, on behalf of the Captors, truly belonged to the Dutch East India Company; to whom the Administrators thereof not only paid the Proceeds, but also the profits of said Corn; and the reason why said Corn was not actually taken possession of by the Prize Agents, was in order to leave the Disposal thereof in the usual Channel, as the contrary would have created much inconvenience to the Bakers, who had depended upon supplying themselves out of these public Granaries. I have &c.

(Signed) W. S. VAN RYNEVELD.

CAPE TOWN, 21st May 1799.

[Original.]

Letter from VICE ADMIRAL CURTIS to EVAN NEPEAN, ESQRE.

Lancaster IN TABLE BAY,
CAPE OF GOOD HOPE, 5 March 1800.

SIR,—I am now to detail to you for the information of the Lords Commissioners of the Admiralty the occurrences relative to my command, since my last Dispatches by Captain Granger.

In my Letter of the 4th of January last I stated my intentions for the reasons therein mentioned, to send the *Rattlesnake* to Saldanah Bay to be Hove down and new Coppered. Being in all respects made ready for the purpose, and having put on board her all the Articles necessary for the occasion, she left this Bay

on the 26th January, accompanied by the *Euphrosyne* Brig. Captain Curtis upon his arrival there being offered the use of a very large Vessel used for the purpose of heaving Ships down (and in which he could deposit all his Provisions, Stores, Furniture and People) until a Danish ship wanting to be careened should get there from this place, he availed himself of the offer, and by a Letter I have received from him dated the 23rd ultimo he informs me the *Rattlesnake* was again ready for Sea, and that by Her he was then Heaving down, Repairing, and Coppering the *Euphrosyne*, and expected to be here by this time, so that I daily look for (in a state compleat for Service) both Vessels at this Anchorage. * * * *

The *Jupiter* being got ready for Sea, sailed on the 30th January together with the *Star* Sloop, to visit the Eastern Coast of the Colony. After having so done, she and the Sloop are to repair and Cruize off the Mauritius, and are again to visit the Eastern Coast of the Colony as they return to the Cape, which Services will occasion their being absent about Four months.

The *Tremendous* and *Adamant* arrived from off the Mauritius on the 1st of February. Captain Osborn's account of the running on shore on that Island and burning the *Prencuse* French Frigate is sent for their Lordships information.

All the Lower Masts of the *Tremendous* were found on her arrival to be in an alarmingly defective state. The Mizen Mast has been repaired on board. The Main Mast was brought on shore, and by suitable measures being adopted with it, will be stronger than ever, and will be finished in a few days. The Fore Mast must then be brought on shore to undergo the like operation; but I trust it will be compleated, and the Ship in all respects made fit for Service before the Season arrives for our going to Simon's Bay.

The *Adamant* is now nearly ready for Sea. In my Letter of the 4th of January I mentioned this Ship's having ran upon the Rocks on the Coast of Madagascar, and of the alarming Leak she had in consequence, and which diminished almost to nothing in an unaccountable manner. The last Cruize made no alteration respecting this Leak, and she continues to make very little Water, but I find it is deemed prudent to keep Fothering constantly at hand, in case the Leak should again return.

In my Letter of the 11th December I mentioned the condition the *Hope* Brig was stated to be in, and of my intentions for the

reasons therein expressed to put her out of commission if upon minute inspection she proved to be in so bad a condition as represented. I have caused her to be Surveyed accordingly, and in consequence thereof, every thing belonging to her has been returned into Store, her Crew entered upon the Books of the *Lancaster*, and she was put out of commission on the 21st ultimo. When the Squadron goes round to Simons Bay the Hull of the *Hope* will be sold by auction. * * * *

The *Diomede* arrived in Simons Bay from Prince of Wales's Island on the Evening of the 22nd of last month. * * * *

Having hitherto stopped the *Oiseau* and *Camel* from departing for England, * * * they are to sail for St. Helena, and with Orders that if it should happen any Ships of the East India Company, or Ships of other Trade should be there, to take them under convoy. * * * * *

The Governor General of India having about a year ago found it expedient to send from that Country five or six hundred Soldier Prisoners of War, and also some of the French Inhabitants of Pondicherry, about one hundred and fifty of the former and some of the latter were left at this place, and having been in Prison ever since, I send to England a portion of them in the *Oiseau* and *Camel*; and these Ships also carry home Invalids from the Naval Hospital, and likewise the Invalids of the Troops serving in the Colony. The *Oiseau* will likewise convey to England Three French Officers taken out of the *Preneuse* before she was destroyed, and whom it was deemed necessary to bring hither to ascertain legally the number of the Crew of that Ship, in order to obtain the Head Money. The Commander and the rest of the Officers were left at the Mauritius on their Parole.

In my Letter of the 28th of December I spoke of the state of the Naval Buildings at this place, and mentioned the measures I meant to adopt to prevent further destruction among them. With that view I gave directions for an Inhabitant of this place, who had on former occasions been similarly employed, to form an estimate of the expence of doing such work as I deemed absolutely indispensable. He produced his Estimate accordingly, which amounted to £900 Sterling, and we to find every species of Materials. Shocked at what I conceived to be so gross an extortion, I rejected his offer, and determined to do the best I could, with Artificers of every sort which might be wanted,

to be collected from the Ships of the Squadron. We have consequently been at work with our own People, and I have much pleasure in saying that a great deal has been well and expeditiously done. Vast quantities of the Rubbish of fallen Structures have been removed, the broken Walls carried up sufficiently high to make the interior where it lay, places of security for valuable Articles of Stores, tottering Walls have been lowered in their height, and the remaining parts made secure, the exterior Walls of the Buildings have been made good, where it was required, and the Plaistering repaired; one side of the Smith's Shop was entirely gone, and the remaining parts were expected to fall every hour, the deficient side is again Built up, and the whole made secure; in short, places before in Ruins and useless are now in good condition and applied to useful purposes. * * * *

I also in my Letter of the 28th December mentioned my intentions for the reasons therein described, to convert suitable parts of the wreck of the *Sceptre* for enclosing the open sides of the Naval Yard. One side thereof by Posts, Rails, and Pallisades, the length of 60 yards from the end of the East part of the Buildings into the Sea to below low-water mark is compleatly finished, and it is astonishing how much advantage we derive from it, as it stops the passing of Passengers; for the Naval Yard is legally speaking a publick Road, but by proper management with the Burgher Senate, I obtained permission for what I have done, without any other disadvantage to the Publick than making a small detour. The Pallisading for the other end of our Yard (which will be of the same length and direction as that above described) is in great forwardness, so that I am confident I shall have compleated all I have in contemplation to do, before the time shall arrive for our removing to the other Bay. Without the wreck from the *Sceptre* it would have been impossible to have found Wood for the purpose of enclosing the Yard, particularly the Posts, which were furnished from her Beams. Of the Ordnance Stores of that Ship we have got on shore 15 of her Guns viz. 8 24-pounders 6 18-pounders and 1 9-pounder, a good number of Shot, 36 Gun Carriages, and various Articles of less note, all of which have been given in charge to the Ordnance Storekeeper. The Timber and Plank of the Wreck which were convertible to any useful purpose have been brought to the Naval

Yard, and the other Wood sold by auction for Fuel. Nothing else of any considerable value has been saved. * * * * *

A new Contract for furnishing Fresh Meat, and another for the other species of Provisions, have been made. The Terms of the New Contracts are so much more advantageous to Government, than the former, that calculating upon there being Three Thousand men on the Station, I believe the annual saving to His Majesty will be full Twenty Thousand Pounds.

Very great inconveniences and expence have occurred to the Victualling Department here by the Store Houses appertaining thereto having been some time ago destroyed by Fire, and other Buildings falling into Ruins. From these circumstances it became necessary to hire Store Houses where they could be got, and consequently the Victualling Stores are dispersed about the Town. * * * Adverting to the enumeration of Store Houses hired, and their respective Rents, their Lordships will see that (taking the Rix Dollar at Four Shillings Sterling) we pay at the rate of more than £1,700 annually for the hire of Victualling Store Houses alone. I am &c.

(Signed) ROGER CURTIS.

[Original.]

*List of Persons engaged to proceed with MR. WILLIAM DUCKITT
to the Cape of Good Hope.*

Isaac Iles, Assistant, at £60 per annum.
Robert Silver, Wheelwright, at 52 Guineas per annum.
John Wells, Smith, at 52 Guineas per annum.
Thomas Crowcher, Labourer, at £31-10-0 per annum.
Edmund Crowcher, Labourer, at £31-10-0 per annum.
William Crowcher, Labourer, at £31-10-0 per annum.
Thomas Buckle, Labourer, at £31-10-0 per annum.
John Bailey, Labourer, at £31-10-0 per annum.
William Kingham, Labourer, at £31-10-0 per annum.
William Crowcher, son of Thomas Crowcher, 14 years of age,
at £10-0-0 per annum.
Mary Crowcher, wife of Thomas Crowcher, at £10-10-0 per annum.

March 7th 1800.

[Copy.]

*Letter from Captains of the Royal Navy to JOHN H. GREENE,
ESQRE., Collector of the Customs.*

CAPE OF GOOD HOPE, 7th March 1800.

SIR,—We the undersigned Captains of His Majesty's Ships now lying at this place consider it our duty to inform you that we are of opinion that the Portuguese Ship *Joaquina*, now at this place, cannot legally import Slaves the produce of Mozambique into this Colony, such Trade being prohibited by the 7th of Geo. 1st, Stat. 1st, Cap. 21, Sec. 9, and by his Majesty's Order in Council dated the 28th December 1796; and to request that if the Cargo of the said Ship should be imported into the Colony, that you will prosecute according to Law the said ship and her Cargo. We are &c.

(Signed) JOHN OSBORN, *Tremendous*,
CHAS. ELPHINSTONE, *Diomedes*,
W. HOTHAM, *Adamant*,
THOS. LARCOM, *Lancaster*,
JNO. LEE, *Camel*,
ROGER CURTIS, *Rattlesnake*,
J. H. LINZEE.

[Original.]

*Letter from MR. JOHN HOOKE GREENE to Captains of the
Royal Navy.*

CUSTOM HOUSE, CAPE TOWN, 8th March 1800.

GENTLEMEN,—I am to acknowledge the Receipt of your Letter of yesterday's date in which you inform me that you are of opinion that "the Portuguese Ship *Joaquina* &c. (see preceding letter).

I have the Honour to acquaint you in reply that the Cargo of Slaves in question are allowed to be landed and sold in this Colony by the Express permission of His Excellency the Governor and Commander in Chief, whose Orders upon the Occasion it is my Duty to obey. I have &c.

(Signed) JOHN HOOKE GREENE.

[Original.]

Letter from Captains of the Royal Navy to the
RIGHT HONOURABLE HENRY DUNDAS.

CAPE OF GOOD HOPE, 12th March 1800.

RIGHT HONORABLE SIR,—The enclos'd Letters will inform you of the Measures taken by us, the subscribing Captains of His Majesty's Ships upon this Station; to prevent the importation of Merchandize the Produce of Countries to the Eastward of the Cape of Good Hope in foreign bottoms into this Colony, contrary to the Act of the 7th of Geo. 1st, Stat. 1, Cap. 21, Sec. 9, and to His Majesty's order in Council of the 28th of December 1796; and also of the Collector of Customs having declined to prosecute the *Joquina*, a Portuguese Ship which has imported Slaves into the Colony from Mozambique because his Excellency the Governor has been pleased to permit the said Slaves to be imported. And as we conceive that His Excellency the Governor's authority may with equal propriety be extended to prevent the said Ship and her Cargo from being prosecuted in any manner in this Colony, we request that you will be pleased to give the necessary directions for the prosecution to be carried on in England in the manner which the Crown Lawyers may deem most convenient.

Captain Linzee of His Majesty's Ship *L'Oiseau*, who carries this Dispatch to England, will give you any information you may require on the Subject. We are &c.

(Signed) JNO. OSBORN, *Tremendous*,
J. H. LINZEE, *L'Oiseau*,
CHAS. ELPHINSTONE, *Diomedes*,
W. HOTHAM, *Adamant*,
THOS. LARCOM, *Lancaster*,
JNO. LEE, *Camel*,
ROGER CURTIS, *Rattlesnake*.

[Original.]

Letter from MAJOR GENERAL DUNDAS *to the* RIGHT HONOURABLE
HENRY DUNDAS.

CAPE OF GOOD HOPE, 21st March 1800.

SIR,—I have to execute a part of duty in transmitting to you the accounts of the different branches and Collections of the Revenue for the space of the last twelve months in this Settlement commencing the 1st of January and ending the 31st of December 1799, the regular transmission of which has been unavoidably postponed until this time, but it is still necessary for me to do myself the honor of sending you the said Revenue accounts as per the inclosed list since the period at which these accounts have been made up precede the appointment and arrival of the Governor of the Cape His Excellency Sir George Yonge.

The Colonial Quarterly Custom House Books for the time already mentioned which could not be sooner sent to England on account of my absence in the Country Districts of this Colony have been delivered by the Collector of the Customs into the hands of the present Governor, therefore I shall leave to His Excellency the transmission of them.

The annual Salaries to be paid by the Civil Paymaster at the Cape of Good Hope was determined and fixed by the late Governor Earl Macartney, the Orders and Instructions which His Lordship left with me upon that head as well as upon all others having been strictly attended to until the arrival of the present Governor.

His Lordship was pleased to direct that an additional Aid de Camp at Ten Shillings per diem whose appointment has lately ceased should be allowed me upon the Civil Establishment here, and I now take the liberty of stating that not having employed a Private Secretary to assist me in fulfilling the many duties of my late official situation and no extra expence having been incurred by me on that or any other similar account, I presume to hope it will not be thought unreasonable the making a request for permission to continue my additional Aid de Camp on the Civil Establishment of this Colony at least for the present, and this favour through your good Offices and His Majesty's well known justice and goodness it will be a high satisfaction for me to obtain. I have &c.

(Signed) FRANCIS DUNDAS.

[Copy.]

PROCLAMATION

By SIR GEORGE YONGE, *Baronet, &c., &c.*

Whereas it appears evident upon Enquiry that the roads of this Colony stand in need of considerable repairs, previous to the ensuing Winter; and as the Burgher Senate and the Landdrosts in the different Districts are the persons under whose immediate orders and directions such repairs are to be undertaken. In order, therefore, that a work so essentially necessary to the comfort & convenience of all ranks of Society may be carried on in such a manner as to those entrusted with the care and management of it may appear most likely to the completion thereof; I do by virtue of these presents declare and make known to all the Inhabitants of this Colony, That all Regulations and directions coming from the Burgher Senate or the Landdrosts and Heemraden in their Districts are to be considered in this particular instance as the orders of Government, and are consequently to be obeyed as such, and any person or persons who, regardless of these my Commands, shall neglect or hesitate to comply with the orders and directions they may receive from those acting under my authority shall upon their disobedience being proved pay a Fine of One Hundred Rix-dollars to be appropriated towards the defraying of the Expences attending the beforementioned Repairs.

And in order that no person may be able to plead ignorance of these my orders and commands, I do hereby direct that the same may be made public in the usual manner, and that Copies of these presents may be affixed and distributed throughout the Colony.

Given under my Hand & Seal at the Castle of Good Hope this 21st day of March 1800.

(Signed) GEO. YONGE.

[Copy.]

ADVERTISEMENT.

Notice is hereby given to all Captains and Masters of Ships or Vessels engaged in the Coasting Trade to and from the different Bays and Harbours of this Colony, that it is His Excellency the Governor and Commander in Chief's orders and directions that they do as soon as possible give in to the Captain of the Port a Correct List specifying the Name and Tonnage of their Ship or Vessel, also the number of hands they have on Board, with their Names and Native places, in order that when the same are Mustered by the Captain of the Port, the List may be found correct; and it is further His Excellency's strict Injunctions to all Captains and Masters of Coasting Vessels, that upon no pretence whatever they will presume to take any Person or Persons whatsoever on Board, for the purpose of conveying them from one place to the other, or for the purpose of getting them Clandestinely out of the Colony, unless the said Person or Persons shall have a Regular Passport to that effect, under the Penalties attached to that offence by Proclamation now in force.

Castle of Good Hope this 22nd day of March 1800.

(Signed) A. BARNARD, Secretary.

[Original.]

*Letter from MR. JOHN PRINGLE to WILLIAM RAMSAY, ESQRE.,
East India House.*

CAPE OF GOOD HOPE, 27th March 1800.

MY DEAR SIR,—Altho' I have not been in the habit of corresponding with you privately, yet from the slight personal knowledge I formerly had the honour of claiming, I shall make no further apology for troubling you with the present letter.

My Situation in this place in the Hon'ble Company's Service is well known to you, and altho' I am far from willing to praise myself, I can with the clearest conscience declare that I have

never once omitted using my best Endeavours to further their Interest as far as my Judgment & means have permitted.

The peculiar Situation of this Colony as a King's Government placed within the Limits of the Company's Charter, you must be very sensible has often put me in a predicament from which it was not easy to extricate myself without much caution & delicacy, and what added greatly to my Embarrassment was frequently a consciousness in my own mind of not being sufficiently acquainted with the Company's legal rights on the points that were in question.

I had however little difficulty of this kind during the Government of the Earl of Macartney, who was not only intimately versed in the Company's affairs, but was equally zealous to maintain their Rights as if he had been in their service. His Successor Genl. Dundas had no less Zeal for their Interest, and constantly did whatever was necessary for that purpose in all cases where they could be implicated directly or indirectly.

The Circumstance which led me to this exordium happened lately. When the *Lancaster* arrived here in December several private Ships laden with merchandize for the Cape came under her convoy, & amongst the rest the *Queen*, Captn. Timmings. About the beginning of January I first heard it rumoured that it was the intention of Sir Geo. Yonge to send her on to India with dispatches; I waited for some days until I was convinced the report was founded. I then spoke to Captn. Timmings very explicitly on the subject, & reminded him of the Company's Charter with which he must be well acquainted. Sir Geo. Yonge after this told me that it was his intention to dispatch the *Queen* to Madras on His Majesty's Service. I mentioned to His Excellency that he must be aware of the restrictions which existed, totally prohibiting such intercourse with India. He replied that he was; that he had written very fully to Lords Mornington & Clive on the Subject, & was *determined* to send on the *Queen*. Thus situated nothing remained for me (not having explicit instructions how to act in such a Case) but to avoid entering into an argument or dispute which would probably lead me farther than I might be able to conduct it with propriety, and to write to the Governor General & Lord Clive referring the business to their consideration.

I hope that you will do me the justice to believe that no con-

sideration but the fear of involving myself thro' ignorance in so delicate a business prevented me from engaging further in it, & I trust that nothing of the kind may occur again before I am honored with your instructions what to do.

Another Subject that will merit your attention is the disposal of Prize Goods at this place. In my public letter of the 11th January I informed you that I had requested Sir Geo. Yonge to make some regulations on that Subject. This has been done, as you will perceive by the copy of the Proclamation accompanying my public letter by this opportunity. This in itself is fair enough, except that I as Agent to the Company am precluded from having any share in surveying & knowing what articles ought to be allowed for interior consumption in the Colony. The Navy on the other hand are much incensed at not being allowed to dispose of their prizes in the way most advantageous to the Captors, many Articles being unsaleable for exportation, which would fetch a good price did no prohibition exist. This certainly is the case in a great degree, & without troubling you with more detail, you will readily perceive, my dear Sir, how very embarrassing my task is, unsupported & without the means of obtaining any better opinion than my own, & having frequent applications to grant indulgences which cannot properly be done consistent with the letter of the Proclamation nor refused without some injustice, or at least hardship, & drawing much personal odium on myself, which altho' I would not relinquish my duty to avoid, you will allow requires a good share of Patience to submit to in this confined Society.

There is one thing more to which I crave your attention. In some instances orders have been transmitted to me to do a particular service, or to act in some particular way, the non-compliance with which may appear improper & negligent, but I beg only to put you in mind that I am here the Sole Person in the Company's Service (on which those in His Majesty's are not in general much inclined to look with a favourable eye), & that it is totally out of my power to do what in a different situation would be very easy. Under this description I mean to include all that relates to the intercourse of Foreigners here, carrying on illicit Trade either with Europe or India. I cannot search their Ships, I can obtain little or no information concerning their views, & if I did, it would be next to impossible for me to take any effectual step

in consequence. I merely suggest these things in a cursory way to your reflection, & I am persuaded you will review my Conduct with your usual indulgence, & from a knowledge of it I am induced to be so free as to request you will have the goodness to make such use of what precedes as you may think proper. * * * *

I have &c.

(Signed) JOHN PRINGLE.

[Original.]

Letter from SIR GEORGE YONGE *to the* RIGHT HONOURABLE
HENRY DUNDAS.

(Undated, but probably 29th March 1800.)

SIR,—I did myself the Honor of writing to you soon after my arrival here by the Packet *Georgiana* from St. Helena which was put under cover to Governor Brooke for the Chance of an early conveyance.

Since that I had the Honor of writing to you by the *Regulus*, which sailed the 9th January in which I sent Duplicates of my first Dispatches and I now send Triplicates of the same.

Nothing particular has occurred since my last Dispatches, nor is there anything new, except that Captain Elphinstone of the *Diomedé*, who is just returned from India reports the total Destruction of the great Naval arsenal at Manilla by Fire. There were three sail of the Line and some Frigates equipping there, which cannot now put to sea. Admiral Blanket is arrived at Bombay with three Ships of War, and Admiral Raynier is at Calicut.

The Colonial Revenues continue the same, and I hope some Regulations may soon be made, which will rather improve them nor have I any Doubt, but the Colonial Revenues will be equal to the Colonial expences notwithstanding the total Failure of the Aid expected by Lord Macartney's Plan on sending out a Cargo of European Goods for sale on account of Government. The Idea was a good one and it was precisely what was done by the Dutch East India Company to great Advantage, but then they were the sole Vendors of all Goods whatsoever, and none but licensed

Servants of theirs could sell anything whereas now every Merchant in the place, Dutch and English, vend freely every Article, and of course did not much encourage the success of a Rival Cargo sent out by Government which evidently interfered with their Interests besides which the Assortment was ill chosen and the Charges amounted to near 90 per Cent on the prime cost, great part of which charges consisted of Duties on Export of the Articles which surely ought to have come Duty Free, and the Article of Coals in particular (of which we have none left) were sent upon Freight which ought to have come in Ballast and the consequence was that the Freight amounted to near 300 per Cent on the Cost, and it was proportionally so on everything else.

I have last week directed a Sale to be held in hopes of disposing of some of the Cargo, but without success, the Importation of European Articles having lately been such as to lower the Price below what the cost of the investment could afford, so that there is now very little chance of the Cargo being disposed of.

I think some Plan may be devised, on which I will do myself the Honor to submit some Ideas, to give this measure a chance to succeed better. For I think it a very desirable thing if it can be effected, as it will tend to relieve the expence of the Military Service, which I am sorry to say, on account of the late disturbances and of the repair of the public works for the accommodation of the Troops (which are become unavoidable) will be very heavy, among the rest the charge of building a Fort at Algoa Bay in Graaff Reinet which in the opinion of Major General Dundas has been unavoidable will be very considerable, though I have not yet been able to form any Judgement of the amount of it.

On the subject of the repairs of these Public Works now become unavoidable, I have to mention that they are the more important and doubtless the less to be so neglected, because they form part of the real security, on which the Credit of the Paper money rests, and by the Capitulation declared to be pledged as such. The Charge of these public repairs at Cape Town and Simons Town exclusive of the repairs of the Forts and Castle and the public Wharf will I hope not exceed £7000 they will be finished by Contract in the course of the year the rest cannot be done immediately, but the Forts and Castle must next be undertaken.

The repairs of the Castle and of the several Forts may perhaps amount to the same sum of £7000 and probably the public Wharf

and Pier may come to the same whenever it is undertaken, and it cannot long be delayed, for by the Report made to me the whole is in danger of falling.

I have at length had a full Conference with Major General Dundas on the whole of the late disturbances which as I before suggested certainly had a deeper origin and wider extent than was imagined at first.

The Inhabitants of the District of Graaff Reinet consisted of Dutch settlers, of Hottentots and of Runaways from both, on those bordered the Caffres to the North East.

The Dutch Government oppressed the two former Classes of Inhabitants to a degree which provoked them to Independence, yet had the weakness at the same time to exercise no Power of Government, and in a manner to abandon them, so that there was neither Government nor Law, and the consequence was mutual Violence and Oppression, and depredations on each other without any restraint from the Powers of Government either Civil or Military, so that they could hardly be said to belong to the Colony. The weaker the Dutch Government grew the stronger grew the spirit of Independence.

To this may be added that there is no longer any doubt of Jacobin Emissaries having arrived here both from France and Germany as long ago as the year 1783, who propagated their Doctrines with too much success at this Place, and from that time there was not a Family, nor a Farmer from among the Dutch Boors, or Hottentot that came to Cape Town which those Emissaries did not seduce so that they returned having added to their Spirit of Independence the spirit of overturning all Government calling themselves Patriots.

The Government of the Country falling into the Hands of the English, the Patriots concluded or at least were taught to believe that a Government new and scarcely established would hardly prove more powerfull than the old one, and accordingly the Disturbances broke out (as Government has been already informed) by the forcible Rescue of a Prisoner, who upon a Civil process was conveying by the Hands of Justice to the Capital.

The immediate Exertions of the Government here were successful in quelling this beginning of the Insurrection, but unfortunately the early Recall of the Troops, which the weakness of the Garrison appears to have occasioned, gave life to the almost extinguished

hopes of the ill intentioned, and made those who had put themselves under our Protection especially the Hottentots suspect our Intentions, and dreading to return to the state of Violence and Tyranny from which on the appearance of our Troops they had fled to us and perhaps doubting our Power to protect them they fled to the Caffres, and so engaged them in these troubles that in a short time these disturbances broke out again, and it became necessary that Major General Dundas should himself repair to the spot taking with him such forces as could be spared.

Unfortunately on his arrival in these Parts, the State of things was much altered from what it was at first. And he found the Hottentots closely united with the Caffres, a most powerful Tribe who resolving to support them, immediately began Hostilities with us and some partial Conflicts with them showed it to be exceedingly doubtfull whether the superiority of our Troops could maintain a long Conflict against daring Savages in an impenetrable Country, neither unused to Fire Arms nor terrified with our Artillery and shewing a desperate invincible Courage on every occasion.

In this Situation Major General Dundas had recourse to the only expedient he thought left namely making Peace on any Terms. He has done so by paying Tribute to the Caffres, promising Pardon to Offenders, and holding out every possible encouragement to the Hottentots to return to their Habitations, and promising Lands and protection against their oppressors. Having concluded this Peace, he has once more withdrawn the Troops, but not without leaving 400 Men at the New Fort Frederick at Algoa Bay for the protection if necessary of the Civil Power.

He has also appointed a Mr. Maynier a Person very well qualified for the Trust as Resident Commissioner to superintend the regulations necessary to be established, and carry the Terms offered into execution.

I sincerely wish this Peace may be lasting, but circumstances have already arisen which together with the ill state of Health of the Resident Commissioner Mr. Maynier have made me judge it necessary to send an Assistant Commissioner to second his Endeavours, and Mr. Somerville has been thought of for that purpose and will soon set out for Graaff Reinet.

I shall do my utmost to pursue and preserve this Pacifick System and these Commissioners will have every support from

me. I even think as Major General Dundas will be here that I shall make a Tour myself through the Country towards the close of the year, In order to inform myself minutely on the Spot of everything and if necessary to add weight to the measures pursuing for the firm Pacification of the Country.

Much more however remains to be done for if the Wound is but skinned over, it will continually break out again, and it appears to me that to promote Civilization and the true Prosperity of the Colony, the present opportunity should be taken firmly to establish a respect for the Laws by a due administration of Justice, and with this view I have been consulting with the Fiscal whom I have desired to digest and lay before me a plan for this purpose, of which indeed my Idea is in some degree formed already, but I shall wait to see how those Ideas may apply to the Country.

This Colony, which is a Territory at present as large as Great Britain in extent, is divided into only four districts and excepting the Supreme Courts of Justice at Cape Town, has but Four Magistrates, who have indeed some Assistants, but to these Four Magistrates must all Persons come for Justice except in Cases (and those not few) where it is even necessary to go to the Cape for Justice; and these four Districts as may be conceived are so large, that such Persons as stand in need of Redress must go sometimes above 500 miles to a Magistrate, nor does the Evil stop here, for it is as far some times to go to attend Divine Service or to attend on being summoned the Militia and other public meetings.

It is impossible but a state of Things so inconvenient must be an encouragement to Wrongs, Violence oppression and Disorders and it has proved so, and to have been the Cause as much as any of much Mischief.

I have suggested to the Fiscal the Idea of remedying this Evil. He has entered much into it, and is preparing a Plan for this purpose by subdividing the Districts, and by having resident Magistrates in each subdivision to hear and determine Wrongs and preserve good Order. I have also suggested the Idea of two Members of the Supreme Court of Justice going from Cape Town annually a Circuit to correct Abuses and to report to Government the condition of the Colony.

In consequence of these Ideas, the Districts will be subdivided

and be reduced to a more convenient extent, the Number of Magistrates will be encreased and Justice rendered more practicable at least and I also hope more purely administered.

These Magistrates and these arrangements must be supported by Government the Magistrates must be taken from hence, They are not in the country. I think the Colonial Revenues will support the expence, which I trust will at least be amply repaid by the establishment of good Order and Subordination, and more especially the due respect to the Laws and the administration of Justice, which I conceive to be the great End of all well regulated Government.

Another arrangement has been strongly stated to me, with a request that it may be laid before Government as a matter of serious concern, it relates to the education of Youth which at present is so much neglected as to make it to be apprehended that very fatal effects may follow if not remedied.

Three or Four Clergy of decent manners and tolerable classical Learning would be sufficient and with a Stipend from Government and the profits of Schooling would afford sufficient Maintenance. The stipend to be £100 per annum. The Scholars to pay 500 Rixdollars each. I could wish them of the Church of England and should hope the Archbishop of Canterbury might be desired to select some such. If settled in the Country a dwelling House and Garden and small tract of Land may be given them. I earnestly hope this will be taken into consideration.

I cannot quit this subject without touching on two Topics arising out of it and connected with it.

During the Disturbances some of the Ringleaders, being chiefly those of the Patriot or Jacobin Party, and amongst them those who were concerned in the Rescue, have been seized and sent Prisoners to the Castle, others have been taken with Arms in their Hands. These Prisoners about 18 or 20 in Number partly on account of the absence of Major General Dundas, and partly from my not being arrived, have not yet been either tryed or punished. It is now become necessary their Fate should be decided, and there can be no doubt of the absolute necessity of making some Examples. But the discussion of the Subject has produced some nicety as to the Powers of Government here. I understand that by what is called here the Indian Laws There lay an Appeal to Batavia as the supreme Government, in all cases both Civil and

Criminal. An appeal to Batavia no longer existing, I understand it has been settled that in Civil cases an Appeal is now to be made to the supreme Government here, but nothing is specifically settled as to Criminal Cases, whether the same Appeal lyes or not. It seems reasonable that it should, and the Fiscal is of Opinion that it does of course. It may however be eventually expedient that this Power should be specially given, to the same Court of Appeal, as in Civil Cases, or perhaps to the Governor alone. Some such Power of Appeal there should certainly be somewhere. I wish for Directions on this Subject, because I understand Directions were sent from Home in 1793 relative to Civil Cases but nothing was settled as to Criminal Cases, however, in the mean time should the Exigency arise, and the Fiscal as Attorney General and Prosecutor for the Crown find it to be expedient to appeal to the supreme Power, I shall be inclined to receive it, conceiving it to be highly important there should be no Interruption to the Course of the Proceedings, nor any Delay of Justice, conceiving the Principle to be the same in Criminal as in Civil Cases.

The other Point relates to Cases, where Banishment may be the Punishment, in which case also Batavia was the Place of Banishment. This being no longer possible, It appears to me, First, that England is not exactly the Place to which such Persons should be sent as may deserve such Punishment, and next that Botany Bay is exactly the proper place. I have had some Conversation with Governor Gidley King here on the Subject. He perfectly agrees with me, and will be ready to receive any such Presents as we may have occasion to make him from hence, and I am not without hopes I shall receive Power so to do. But I wait for such Powers and Directions how to proceed.

It may be proper that I should here add that the Person last sent in Banishment to England Mr. Vermaak is I understand a Person well conversant in Conspiracies, and that there is not a Project especially against the English Government in any Part of India (of which there have been and I doubt not still are some) in which he has not been more or less engaged, nor is there a Person whose Zeal in such a Cause is more relied on than his.

Here are also a Number of French Prisoners whose long continuance at this Place is very inconvenient. They were part of the Garrison of Pondicherry and were to have been sent to

Europe, but were landed here sick, and no steps have ever since been taken for sending them on. I have been endeavouring to send some few away, but it is much to be wished, on many accounts, that they could all be removed.

From the last accounts we have heard from England, I am not without hopes also that the long promised Reinforcement to this Garrison may actually be on its way hither. I therefore hardly need say their arrival will be a great Satisfaction. I need only refer to what has been stated concerning the unhappy Business at Graaff Reinet to shew how much the want of it has embarrassed every Proceeding. Engaged in a foreign War, which makes us every hour to be not without a possibility of Attack, and engaged at the same time in these internal Commotions, this feeble Garrison was not equal to all the Services required of it at once. The Exertions it made had every Effect that could be expected but this circumstance dictated the measures that were pursued, and I beg leave again to add that from the Nature of the Service and the Situation of the Country Cavalry if it can be spared, would be of most essential Service, and one more Regiment of Light Dragoons would answer every purpose.

I must once more repeat that the Country itself deserves every Care and Pains that can be bestowed upon it. That it grows every Hour in Importance that it is blessed with a Fertility unexampled, even the barren Sands producing with Culture the finest Vineyards and Fruits and the whole is capable of every production which any part of the Globe can furnish, except perhaps some few of the East and West India Articles, which this Climate will not admit of. The only thing it wants is Inhabitants and Cultivation especially Artificers and Labourers. The want of these last is more especially felt at this moment, and I have been so strongly urged on the Subject that I have consented to the Supply of Slaves being compleated, which was begun before my arrival and I hope this will be sufficient for the present. I have however at the same time directed a revisal of the Laws concerning their treatment, which in truth is in general not severe, and I hope by some improvement in these Laws to render their Situation nearly similar to Husbandry Labourers in England.

I have thus Sir given you at some length a detailed account of the State of this Colony, and especially of the late disturbances in the Interior according to the Report made to me on the Subject,

and upon the whole I trust the Public Tranquility will not again be disturbed. The Public Expences, should this be the Case, as soon as the public Repairs are compleated will be drawn within tolerable Bounds, such as the Revenues of the Colony may nearly meet, and it shall be my Care to improve the one and diminish the other. I have &c.

(Signed) GEO. YONGE.

[Original.]

*Private and Confidential Letter from SIR GEORGE YONGE to the
RIGHT HONOURABLE HENRY DUNDAS.*

CAPE TOWN March 29 1800.

DEAR SIR,—I have given in my Dispatches a Detailed Account, and as faithfull a Picture of the present State of this Colony, as It was in my Power to give, and It may be relyd on, as being Strictly Correct. But there are other Points w^h It appears to me proper you should know on which you will use your own Judgement.

Of the Importance of this Colony I need say nothing to you, But it grows in Its every Hour. It is and will become the Centre of Commerce with India, America, and Europe. The European Commerce is carried on at present by Danes, Swedes, and Ham-burghers, who are especially the Danes, the Channells of all the Clandestine Trade of the Dutch, of the French and of the English E. India Company, which is the most Considerable of all, but they also Convey Supplys to the Mauritius, and to Batavia to a great amount. The American Commerce to the East Indies & China & Batavia, which is encreases very fast, depends entirely on the Cape. Here have been many American Ships since my arrival, and here is now a fine American Frigate of 32 Guns, & another Expected, sent to protect the American commerce in India which has been much harrass'd by French Privateers fitted out at the Mauritius which now exists by Privateering alone. I have learnt from the American Captain that the United States rely on the Friendship of England, and He confess'd to me they could not go on, but by the Assistance of the Cape, which He Called the Key of India. They have just appointed a Consul General here who is

to reside here He told me they had a most Beneficial Trade with South America which they supplyd for Cash, in the European Goods, But that they sent (I think not very wisely or profitably) much of that Cash to China for Teas. That they also carried Produce to Batavia, but could not sell It, and got little or nothing for It. They also supply the Mauritius and gett Spices &c. and In Short that their Eastern Trade encreased very much, but all depended on the Cape. I thought it right to be very Civil and to assure Him of the Friendship of England, as long as were in amity with each other which I hoped would always be the Case against France, which I looked on as the Common Enemy. In this He agreed with me, & assured me America did so too. They have fitted out 15 Frigates from 30 Guns and upwards to cruize against France, and are building 5 74^s which are very forward. They build Chiefly at Newport in Rhode Island, which they expect to become their Chief Dock Yard. The only annoyance at present to the Cape and indeed to India, Is the Mauritius. For tho', by the activity of our Cruisers, their Ships of War are destroyed, Yett the Inhabitants vest their Property in Privateers, and live by the Success of their Cruises. Whether it is adviseable to attempt the Reduction of this nest of Pirates, Is more than I can pretend to judge, This I know, Its Reduction would be a great Security to this Colony, and indeed to all the Indian Commerce, for they fitt out Ships & Plan Expeditions without Its being known, and by various Channells gett Intelligence and Directions from France with the greatest Expedition. But whether such an Enterprize be practicable, even if desirable, Is I believe not quite so Clear. They great Stores of Warlike Preparation, and tho' not numerous in Troops, have a very large Body of Provincial Force, all trained, for Defence & Sure I am this Colony has not, & cannot have the means of acting against It. If an Attack were to be made It must be from India, and, in that Case, I very much doubt, if a less Force than 10,000 Men would be able to Conquer It, and the Reduction of It for want of Provisions may be difficult, because It will be difficult to cruize long off the Harbour. I am told however that Sir Hugh Christian and Commodore Losack had an Idea of an attempt on this Place, and there is a Comte de Fouchicourt, who accompanied the latter on a Cruise there & offerd his services. He professes to be a Loyalist, To have Property & Influence there, & has prepared a Memoire to shew

the facility of such an attempt. What Service He can really be of, I know not, but He is anxious to present his *Memoire* to Government, and either to send, or carry It himself. I am rather enclined to the latter Expedient, as he *does no good here*, and in Europe perhaps, He might serve his Cause without risking another Voyage to this Place which I very much wish He may be spared the trouble of. Here are some other French here, without a Pass, who not only do no Good, but do much Harm and I think of presenting them to you, without any Desire of their Return, leaving them to your Care, that they may do no Harm.

I have now to trouble you with a few Lines on the Subject of the Colony Itself. I have said It is a growing and an Important Colony—and I repeat It. The most knowing & Intelligent of the English, with whom I have Conversed, unanimously admitt, that the Point once finally settled to whom It is ultimately to belong, It will double in Importance and there is not a Dominion of the Crown abroad that will be of the Value of this Colony to the Mother Country by the Employment of Its Shipping & Seamen, and by the Vent of its Manufactures, while It will repay this by a Supply of Articles which this Climate & Soil can raise most of which Great Britain wants, or, by this means, will be able to supply foreign Markets with. But everything is to begin, and Time must be allowed for it. I know very well this has been represented as an useless Colony, and even a heavy Burthen, and a Place not worth retaining. Those who assert this, I suspect know the assertion to be false, tho' they make It from interested Motives, hoping to make Government think so, to gain their Ends. But, whether they do so or not, the Assertion Is false, and I assert that whoever has the Cape is Master of the Commerce of India. But as the Point of Expençe is always looked to, as the Chief Point, tho' Power is sometimes unavoidably supported, at some expence, yett to meet this argument, tho' I will not pledge myself, yett I will venture to state my firm Belief, that, as the Colonial Revenues already meet the Colonial & all Civil Expences & other Charges, except the Military, yett at a Peace they may be so much improved that the Colony will no longer be any Burthen to Great Britain at all. This I firmly believe, though I cannot at present pledge myself for It. But this much I think I can now venture to say, That if, at a Peace, Government would be willing to fix on Sum for the Military expences of this Garrison, even supposing It

to be continued as It must be to be of Service at 4,000 Men, and this Sum were the lowest, at which the Military expences stood, when the Garrison was but half the number, the Colonial Revenues would defray the Remainder, Be It what It may, so that Government would know the utmost Expense which the Colony would require, not without a Hope, and fair expectation that, in time the whole would be defray'd without any Charge on the Publick, But this can only be expected to be done by Degrees.

I have troubled you with these Particulars to answer any argument of this Colony being a Burthen to the Mother Country, which I maintain It will not, for the Reasons I have given, and therefore those, who wish to persuade Government not to retain It will I hope be deprived of this Pretence for It. I will now only add, That It is equally Important, that If It is retained at a Peace, Government should keep It in Its own Hands, and not grant It, Improvidently, away to the E. I. Company, which would be the most unwise, and, I do not scruple to add, the most Dangerous Thing in the World. For the Example of American Independence teaches a Lesson on this Subject, which is against giving such great Means into the Hands of Distant Colonies to resist, or deny the Power or Rights of the Crown, and It cannot be denied that whichever of the two Parts of the Empire is in Possession of the Cape will, in time, dictate to the other, and the Crown will lose Its Rights & Power over the other so much the sooner for having granted away the Cape to them, an Event of this kind Is at least possible, & therefore I have thought It my Indispensable Duty to Consider the Colony in all Its Consequences, as to the retaining It, giving It up, or granting it away, on which Point, I confess, I think there cannot be a moments doubt.

I will now state what has occurred to me as likely to be Beneficial at a Peace, namely, That at the Reduction of our Forces, encouragement should be given to such as would be Inclined to settle here nor would It I think be much to allow one Years Pay to all such as would come, to be paid them on their arrival, to enable them to settle. Here are Lands enough for any Numbers and the Country wants nothing but Inhabitants to carry on Its Cultivation, and It would be a most desirable Thing to have a number of our own Subjects, which would be much more to be relyd on both for Cultivation and for Defence, than Dutch or Hottentots or Caffres; nay I think such Settlers and their Families

might be lyable to be called out to Military Service in Case of need, and their children registered & trained to the same Duty, as a kind of Militia, without Interrupting the Cultivation of their Lands. I could say much more on this Subject, but beg Leave just to suggest the Idea at least, & Submitt It to Consideration. For my own Part, I am Confident here would be room for 10,000 Men to settle In.

I will now trouble you on some other Matters. Mr. Ross, I rejoice to find, Is so much mended that He talks with Confidence of recovering, and even of returning here by this time twelve months. I so Sincerely wish It may prove so, & therefore am so inclined to believe It, that I beg everything I may have said on the Subject of his *not* returning may be regarded as nothing for the Present, because nothing can be more desireable than that He should, as he proposes, return and resume his Functions here and therefore all Consideration of what may be wished in Case He should not be able to return must be postponed till that Is decided. But should He not then I hope for your Good Offices in arranging things in the Manner I desired.

I will now advert to some Reports We have received from India, from whence alone We have received any News from England for these Six or Seven Months Past, That in Consequence of Deaths & Military arrangements there, It is likely that my Friend Brigadier General Fraser may leave us, and go to India. I wish this may be so, because I know He wishes It. But, if he does, I shall hope that my friend Cockburn who is now Barrack Master may succeed Fraser as Dep. Q^r. M^r. Gen^l. and I shall wish to make Somerville Barrack Master, for which I find Him well qualified.

The same Reports if they are to be relyd on, make It also possible that M. General Dundas may have a Command in India. I have not heard Him nor any Body speak of It here, but It is, I think possible He may not dislike It. His Lady was born in India, Her Father was a long time there, and She has a Brother now there in the Company's Service, and sometimes in Conversation before this Report reached us, He has spoke of It as a desireable Thing. Should this prove so, there is nobody in this Garrison fitt to be Lieut. Governor and Coñmand the Troops, under me, and the Choice of one, Is a Matter of great Importance to the Colony, & of Course some Concern to me. He should be a Person of Service, and used to foreign Commands, & tropical Climates. I

can not presume to determine who best has these Qualifications, but there is a Friend of mine, who, if He could be persuaded to come, my Wishes would point out, beyond any other. His Qualifications I am sure of, and as his own Regiment Is among the Number of those, who I hope are actually on their way for this Place, It will have the more Propriety In It. It may perhaps be time enough to name whom I allude to, but from you I will not conceal that It is M. General Graves Simcoe—one of the Oldest Friends and acquaintances I have in the World. I never heard him express a Wish on the Subject & have not the least Guess, if anything would tempt Him to come. I only know my wish to have him, not only for my own gratification, but also for the Good of the Service, as the best Qualified Person I know for such a Situation.

I have now only to mention once more Mr. Jessup. He is getting daily into Disputes, & has lately been very Insolent to the Collector, who is really a deserving officer. It seems Jessup is half an Attorney, & assumes to himself the knowledge of Law, better even than those of the Profession here; He has *some other* knowledge too, which he is very attentive to, and his Chief Disputes arise from his *Thirst* after *that kind* of Knowledge. He is, I believe an American, & says He was known to Gen^l. Haldoman, and a kind of a Proctor in America. How he came to his present Situation I know not.

You will, I believe think, by this time that I have troubled you enough. I have, as you allowed me to do, Confidentially unfolded to you everything that occurs to me—of myself I will say nothing except that while I have Health & Strength no Care of mine shall be wanting to render this Colony both flourishing and usefull and I once more repeat It, that It is a most wonderfull Country, capable of every advantage and worthy of every attention. But there is every thing to do and to begin—and much to undo—and It must be a work of time to shew all Its Powers. This I will venture to say, That those who have wrote about It, or talked about It, or pretend to any knowledge of It, have but very imperfectly and superficially done It. Some Parts of the Colony are to this hour utterly unknown, nor Is there one Person here who has ever seen them, either Dutch or English. The Eastern and North Eastern Parts have lately been more seen on account of the late Disturbances, but even of those Parts the knowledge as

yett, of any, is very superficial & Imperfect—but as to the West & North West Parts nobody knows anything. Some Investigation has lately been made of Saldanha Bay, which Is about as far from hence as from London to Portsmouth, but beyond that nothing Is done, but It is all called Barren, so little is this Colony known, but the more It is known the more I am sure Its Value will appear, and I once more earnestly recommend It to your Protection.

I hope I now need not say that if on the arrival of the long expected Packet, or on any other occasion, I can but learn anything in the scope of my Means or Power that you wish, I beg to know it, and that you will freely command my best Services always. I have &c.

(Signed) GEO. YONGE.

[Autograph.]

*Private Letter from SIR GEORGE YONGE to WILLIAM
HUSKISSON, ESQRE.*

GOVERNMENT HOUSE, CAPE TOWN, *March 29th 1800.*

DEAR SIR,—I wrote to you by the Ship *Regulus* which I hope you will have received safe. I acquainted you with our safe arrival here, after a Passage of three months, and of our having found all quiet and well here, tho' much distressed for Want of a Reinforcement to the Garrison, the Duty at present being very hard—But these, I hope, are now on their Way, and they will be most welcome.

I have a miserable account to send of the Investment sent out by Government, not above one third of It has been sold, some has been destroy'd by the Fire, the rest I have tryd to sell since my arrival but in Vain. If ever the attempt succeeds, It must be conducted differently from the last, But on this I will not say more at present.

I wrote you in my last that we were greatly distressd for want of artificers, so much so, that I am Confident a good Master Carpenter & Builder would make his Fortune. As to Bricks and Lime, with Plenty of Materials and everything to make both We have nobody that can make or burn a Kiln, or build a Lime Kiln,

nor Is there a Blacksmith but what belongs to the Artillery, or is to be mett with among the Soldiers there is but one Sadler in the Colony, and not one Boot and Shoemaker. There are some Waggon makers according to the Fashion of the Country. The Want of these Is not merely a private, but a Publick Inconvenience—as a Proof of It, I have to acquaint you that the Publick Town Mills here are at last grown so much out of Repair, as to be scarcely fitt for use, and nearly in Danger of falling, and yett they have actually no artificers here capable of doing what is necessary. This is a real Publick Distress, and having been Consulting with the Fiscal, and the Burgher Senate upon the Business, It has occur'd, and Is agreed by us all, That if It were possible to send out a good Compleat Corn and Flour Mill ready made It would be in the End not only Cheaper, but more usefull than to attempt either to repair or Rebuild these by any Body here, and I have been desired to try whether this would not be possible, I have therefore to beg It may be done, if possible, nor have I any doubt but if It is possible, there will be every Disposition in Government to bestow such a Benefit on the Colony, and now It may seem ridiculous, but It is really true, that if this should be approved of and can be done, It will also be necessary to send out, not only all the Mill Work, Mill Wheel, Corn and Flour Bins and everything necessary for working the Mill, but also even the Bricks & Tiles & Framing of the Roof and everything Else that may be requisite. If this should be approved of, the sooner any such can be sent out the better, and therefore I have now to mention that the Power of the Water which works these Mills Is equal to anything that can be required. Besides supplying all the Publick Conduits, the Castle, and Town Mills, The *Surplus*, which runs to waste, at the Spring Head, makes a run of 60 Gallons per Minute, and It never fails. I speak of this with Certainty having examined It myself at the Spring Head. This is the Main Spring. There are, besides this, three more Springs, which rise near this, not so Plentifull, but sufficient alone to supply the whole Town. It remains for me to speak of the Quantity of Corn Consumed annually. It amounts to the Quantity, nearly of 100,000 Quarters of Corn, English Measure, and for this It depends on a Supply from the Interior for the Corn, and on these Town Mills for Flour. I suppose one well Constructed Mill would supply more than all the Three do at present.

I am sorry to say Corn is at present very Dear. When I arrived, there was not a Week's Supply left. Measures were instantly taken, in private, to Procure a Supply, and We have succeeded so as to be in no alarm at present, but I have been strongly urged to secure a *Depot* in Case of Need, whenever It becomes Cheaper, which I hope It will soon.

I don't know if such a Mill, as I have described can be got ready made, but I recollect having heard of one, quite new, that was to be had and Purchased. It would be worth while to do this and take it down. Mr. Merry of the War Office I believe could gett some Information of It, and I write to Him about It.

Among other Publick Works, and Improvements, I have now to acquaint you, that We are thinking of Watering and Lighting the Streets. The President of the Burgher Senate has spoke to me about It, and I am desired to write about Lamps & Lamp Irons. They must not be such Lamps as in London at present but the Old Fashion'd ones will do best, such as they have at Edinburgh.

Coupled with Lamps Is Lamp Oyl, and with this the Whale Fishery, upon which Subject I have to mention that no Part of the World affords better Whale & Seal Fishing, than these Seas, and that a Fishery at Saldanha Bay would be very well worth trying, and I hope Parliamentary Bounties might be extended to this Colony. The nursery this would be for Sailors, and the advantage to the Mother Country, is undoubted.

I have been informed of two Whalers from Scotland one from Leith the other from Aberdeen, fitting out with this View. If they come they shall have every Encouragement they can Wish, at Saldanha bay or Elsewhere in the Colony.

The next thing I have to mention is Coals. We have none left, Part being destroyed by the Fire, and no Supply come since. But for Gods Sake do not charge It with Duty, nor send It out upon Freight—on the Contrary lett *every Ship* that comes out bring some in Ballast. We are in great want of It, and what the Troops will do in July I know not. I have concerted with Gov^r. King for a Supply from Botany Bay, but I find It will come slowly and not so easy or cheap as was imagined. However It will help in time. Perhaps too if we had any artificers or skilfull Persons we might gett It here. There are I am assured Symptoms of It, but the Inactivity & want of knowledge of the People prevent any attempts as yett to prove It. In time perhaps We may do better.

But in the mean time pray send us some Coals continually, for Fuel is dreadfully scarce and Dear.

Another Thing would be of Infinite Service—namely a Sawing Mill, to turn by Water, to saw Timber or Stone—a Skilfull Person understanding how to work such a Mill, and to repair It, or build another will also be necessary to be sent out with It.

I have now to mention that I send you enclosed some Letters, which by some accident were left out of the Post Office Bag, and were sent up to me. On looking at the direction my curiosity was excited by seeing they were all Directed to the House of David Scott & Co. whose Correspondence in India has of late made some noise. I did not think fitt to open them, but Instead of returning them to the Post Office, I enclose them to you, to be dealt with as shall be thought proper.

I have now once again to express my earnest Hope that the promised Reinforcement to this Garrison is actually on the Seas in Its way to this Place. I do assure you It is impossible to answer for the Security of this Place without It. When Part of the Garrison was taken away from It to go to India, the most Solemn Promise was then given they should be replaced by others from home because the Duty would be hard on those which remained. Since that the Disturbances in the Interior have rendered, & continue to render that Duty still harder. The Reinforcement has been over and over again promised, & the necessity of sending It urged repeatedly, and not denyd, yett still It has never come. This is Cruel, and what is worse the Disturbances in the Interior have rendered a new Tour of Duty necessary at 500 Miles Distance which makes the Distress infinitely greater. In short, The Security and Fidelity of the People of this Colony depends in the first Place on the Conviction that It is to remain to Great Britain—In the next Place on the Strength and Power of Government to Support Itself—and whatever may be thought at home, the Disaffected here of which there are many draw their Conclusions and are not slow in Calculating the Weakness of a Garrison which at present is the only Support of Government here. When I came away two Regiments of Foot and some Recruits were solemnly promised me. They appeared then absolutely necessary. How Cruel then to leave me without them, when I most solemnly affirm that since my Arrival here & have more Insight into the Circumstances of the Country, I can

& must say that the two promised Regiments of Foot are not even enough, but the Service from Its Nature & Its Distance requiring It, the Duty lyes chiefly on the Cavalry, so that besides these two Regiments of Foot a Corps of Light Dragoons are greatly wanted at this moment, and I will add that on conversing with the Artillery Officers they declared their Strength, which is of the utmost consequence, not sufficient, and that an additional Detachment of Horse Artillery would be of Infinite Service. I do therefore earnestly recommend all these matters to your Immediate attention. Try—Solicit—Remind Government again & again till you prevail and gett what is so essential to the Government here, and even to Its security. For we are here not a moment without alarm—at the time the Disturbances broke last out at Graaff Reynett the Disaffected had a Correspondence with the Mauritius—and tho It ended well, the French Frigates being destroyed and the French too weak to send any Succours to the Disaffected, yett we know they still Correspond both from Graaff Reynett & from hence and advise the French of our whole situation here. We know too that they at that time dispatched a Vessell to France to advise them of the Disturbances & the Situation of Things here. Judge then what I must feel finding myself in a Situation responsible for the Fate of this Colony, and yett not putt in a Condition to meet the Danger if It arises however Foreseen nor to do that which I feel indispensably necessary to the Publick Security, but left weak and defenceless exposed to attacks from without & Commotions within which I can neither wink at or endure with Honour nor resist with Success. For God's sake dont Lett me remain in such a Disgracefull Situation any longer, but use your utmost efforts that I may be placed in a Situation that will enable me to do my Duty, and then I will be answerable that Ill do It, but otherwise I beg to protest against whatever may be the Consequence of being left in such a Condition. I need not say that suitable Supplies of Ammunition & Stores are of course necessary to any Reinforcement, but the Returns to the Board of Ordnance will shew that, at any rate, Supplies are become absolutely necessary, none having been sent out for these five years, though It seems natural to suppose that a State of War might make It *possible* that *some* Supplies *might* be necessary.

I press all these Military Points not from any Idea of any Military Operations, which I hope in God will not be necessary, &

which I shall do my utmost to avoid, but I urge them from a Conviction of their being absolutely necessary for our Protection and Self Defence, and because I am perfectly sure that the Knowledge of our Weakness Is the Thing in the world that will provoke and encourage attempts which would not otherwise be thought of, and Produce the effects which being most to be dreaded can only be avoided by being enabled to Prevent or Check them.

In Short the Security of the Government Is the first Care—The Prosperity of the Colony is the next. The one cannot be expected till the other Is Putt (sic) of Doubt—I entreat therefore your best offices to gett Putt in the Situation which Publick Security & Welfare require I should be Placed in, and you cant imagine the anxious Moments I shall pass while I remain in such a Situation.

The Trade & Commerce of this Place encreases very fast, tho some Speculations in England will I believe fail, because they have overstocked the Market with many articles, at the same time that others are much wanted, But foreign Ships arrive Continually, Danes, Swedes, Hamburghers & Americans. They chiefly carry on the Contraband Trade of France, Holland, and the English part is the most Considerable of all. But the Americans are beginning to trade to India on their own account, for which Purpose they rely much on the Convenience of stopping at this Place. Here has been an American Frigate, the Captain of which told me they could not go on without the Cape and depended on the Friendship of England. I thought it right to be very Civil to him and to all American Ships which touch here—and the Enclosed Paper will shew you they are very well satisfied with their Reception. They sent It me voluntarily, without my expecting It, and the Captain of the frigate declared when He went away that He never experienced such kind Treatment anywhere as here, and has sent a Dispatch to America advising the United States of It, and recommending every possible Return of kindness to be shewn every English Ship of War that enters any of the American Ports. Another Frigate Is expected here with a Convoy of Merchantmen for India, and they have just settled an American Consul here. The American Consul General for India also touched here in his Way Home. He came with Letters of Recommendation from Lord Mornington, a Mr. Miller, and I assure you we sent him away very well Satisfied with his Reception. I beg you will let

Mr. Dundas know all this, and that I shall think It right to Continue these Good Offices. I told the Captain of the Frigate that they might always depend on the same Reception as long as they continued Friends with us, which, I hop'd, they would long be. He said our Friendship, and especially the Cape, was of the utmost Consequence to their Commerce for they could not go the long Voyage to India without stopping to Victual and water here. They do no more here, nor has any Ship yett under any Excuse attempted to break Bulk—on the Contrary, one Ship came in very leaky, and just applyd to me to know what He might do in case of Necessity, either to Stop the Leak, or defray his Charges here. I advised him to Stop his Leak afloat, and give Bills for his charges. He did so—and assured me, they never would attempt to Infringe on the Regulations of the Place, which I told him if they frequented this Place must be Strictly adhered to.

I think I have now nothing more to trouble you with. The *Camel* Is at last ready to Sail and This will be delivered to you by Mr. Ross the Paymaster General. I am &c.

(Signed) GEO. YONGE.

P.S. Just as I finished this an American Ship is come in from the Madeiras loaded with Wine for India. The Captain reports, that a French Frigate is cruising off the Madeiras, & has taken one or two English Ships. I hope one of our Cruisers will secure her.

[Original.]

Letter from SIR GEORGE YONGE *to the* RIGHT HONOURABLE
HENRY DUNDAS.

CAPE TOWN, April 7th 1800.

SIR,—I am happy to embrace the first opportunity to acquaint you that by an Express just received from Graaf Reinets Tranquility in those Parts is perfectly restored. Mr. Maynier the new Resident Commissioner has succeeded in concluding Terms of Friendship with both the Caffre Chiefs. The Hottentots are returning to their Habitations being declared to be under the

Protection of the Government, and the Boors have submitted to all the Regulations prescribed by Government for the protection of such Hottentots as return to their Service. Compensations are directed to be made to such as have suffered Depredations, and in short the most perfect Security and Tranquility now prevails. The Caffre Chief Chyka has even put to Death one of the most violent of the fugitive Rebels, who wanted to prevent his concluding a Peace with us, and the Rest he retains as Prisoners to be disposed of as Government shall think proper.

I am now occupyd in Preparing for the Tryal of those who have been as yet kept Prisoners at the Castle and I am still more occupied in preparing a System for the establishing Good Order and a due Respect for the Laws, and to Civil Authority in the Interior, so as to prevent all future Violence or Wrong, and I hope also, by such means most effectually to prevent the Renewal of such Disturbances as have hitherto prevailed since I shall thus remove, I am convinced the causes which chiefly occasioned them, and these Regulations once established, I shall begin to have sanguine Hopes that no Reverse will again disturb our Tranquility which once secured the Country will quietly repair Its late Losses and double Its Efforts towards Cultivation from whence the best Consequences must follow.

I am happy to be able thus to announce to you this favorable Turn of affairs, about which We have all been anxious for some time past and have &c.

(Signed) GEO. YONGE.

P.S. Some Seasonable Presents have Contributed much to our Commissioners Success, and I understand that Glass Beads of various Colours, looking Glasses, Knives and Scissors, and such Trinkets as usually form an assortment for the African Trade will be a great means of Cementing our present Harmony, a Proper assortment therefore, tho' not too large consigned to Government, and sent out by the next Conveyance will be of great Publick Utility.

[Enclosure A in above.]

[Original.]

Letter from COMMISSIONER H. C. D. MAYNIER *to* MAJOR-GENERAL DUNDAS.

MON GENERAL,—La lettre de votre Excellence du 27 fevrier de laquelle je me trouve honoré m'a été remise par la voix de Zwartkop-rivière. Sensible autant qu'on peut l'être á l'interêt qu'elle veut bien prendre á ma santé je suis fâché d'être obligé, de débiter la réponse par annoncer la continuation de ma maladie, et de lui demander de vouloir bien permettre, que cette fois ci je ne sois pas si emple que vôtre Excellence l'auroit désirée ne pouvant presque pas me tenir je me presserai seulement de la satisfaire sur les points les plus essentiels.

Concernant les affaires publiques, elles vont supérieurement bien, je prends la liberté de me référer á ce sujet á la lettre que j'ai eu l'honneur d'écrire á son Excellence le Gouverneur.

La révolution de Chijka est un conte forgé á l'égard des bourgeois qui sont aux arrêts á la citadelle et du sort desquels le gouvernement doit décider au premier jour. Je prends la liberté d'observer á vôtre Excellence, que je crois qu'il seroit nécessaire avant de les élargirs qu'il fut demandés par les parans et habitans ici, leur elargissement et qu'ils promissent dans la supplique adressée á cet effet, qu'en cas que le gouvernement voulu leur accorder cette grace, de veillés á, et de se rendre garands de la conduite de leur concitoyens, cela ferroit selon moi, sauf le meilleur avis de Votre Excellence, un meilleur effet que si on les mettoit en liberté sans punition après les avoir détenus si longtems la méchanseté ne manqueroit pas de dire que le Gouvernement anglais certainement ne les auroit pas pardonnés s'ils avoient étés coupables. Je ne manque pas une seule circonstance ici de leurs prêché la douceur, l'humanité, et l'équité du gouvernement j'ai déjà parlé á quelqu'uns d'eux d'une pareille requête et je leur ai promis que je l'appuirois aupres de votre Excell: et du gouvernement pour obtenir la grace des moins coupables, ils y sont très disposés. Si Votre Excell: approuve cette proposition elle n'a qu'à me faire parvenir ses ordres et j'aurai soin que cette requête soit le plustôt possible signée et envoyée á Votre Excell. Jusqu'à

présent je n'ai pas pu réussir à retirer la moindre chose des mains des Caffres et des hottentots, et je crois que désormais il ne faudra plus y songer. Les habitans convaincus de ce qu'on a fait pour eux et contents que le reste aille bien n'en parlent pour ainsi dire plus.

Partout où j'en ai trouvé l'occasion j'ai donné de la somme que votre Excell: m'a laissée à cet effet, quelque argent aux pauvres, plus ou moins proportionné au besoin qu'ils en avoient dans le moment. Pourque personne ne l'ignore j'ai dit aux commandants *wagtmeesters* et autres s'ils s'avoient des gens qui avoient souffert dans la guerre et absolument dans le besoin de me les envoyer. Par la nôte que j'envoie à votre Excell: elle verra l'employ que j'ai fait d'une partie et ce qui me reste de l'argent qu'elle m'a laissée. Plusieurs habitans reconnoissans des Services importants que votre Excell: leur a rendue par sa présence lui adressent un remerciement que j'ai l'honneur de lui présenter, quoique ce soit une foible récompense pour tant de soins aussi signalés j'espère que cette marque de reconnaissance de leur part ne lui sera pas désagréable je ne doute pas que dans quelque tems les autres habitans en feroient autant. On verra au moins par là qu'ils ont été ramenés des idées qu'on a tant cherché à leur donner du gouvernement. J'attends seulement que ma santé se rétablisse un tant soit peu et que la mortalité des cheveaux qui est excessive et dont j'en ai aussi éprouvé l'effet ayant déjà perdu un de mes meilleur cheveaux, soit passée, pour faire la ronde dans tout les Districts pour me montrer aux habitans qui se disputent à qui aura le premier le plaisir de me voir chez lui et pour m'offrir tout ce qui me sera nécessaire en voiture, cheveaux etc. pour le voyage. Je tâcherai de conserver soigneusement cette confiance et j'en tirerai parti pour les attaches au gouvernement et de les mettre parfaitement dans ses intérêts. Si je puis je pénétrerai jusqu'à Suellendam, car à vous parler franchement mon general je crois que là, on s'inquiète fort peu comment les choses vont, mons^r Faure qui parloit piqué d'honneur ne m'a pas encore fait la grace de m'écrire une seule lettre, je viens de lui écrire pour la seconde fois de vouloir bien me faire son rapport. Vous savez trop bien mon general comment les choses sont entrelassés dans ce pais et pour cette raison je prie instamment votre Excell: de vouloir bien passer sous le plus profond silence ce que je viens de lui dire.

Malgré qu'on fasse et malgré qu'en disent les politiques au

Cap j'espère cependant parvenir à perpétuer la paix et d'atteindre le but de votre Excellence. J'espère qu'à l'arrivée de la personne accréditée que le Gouverneur m'annonce et avec laquelle je dois consulter, la besogne sera faite et qu'elle n'aura rien à faire qu'à cueiller les lauriers. Enfin quoi qu'il puisse arriver je ne négligerai rien pour achever l'ouvrage que votre Excell. a commencée.

Le gouverneur m'a déjà demandé dans plusieurs de ses lettres copie de l'Instruction, que votre Excell. m'a laissée relativement à l'administration des affaires dont votre Excell. m'a confié le soin, n'en ayant point reçu de votre Excell. je n'ai pas pu satisfaire à sa demande et comme j'étais embarrassé de répondre sur cet article je l'ai passé sous silence, jusqu'à ce que j'eusse des nouvelles de votre Excell. pour savoir ce que j'en dois dire. Le gouverneur m'a demandé aussi de lui envoyer copie de ma correspondance avec les habitans. Votre Excell. m'obligera infiniment de faire connaître au gouverneur que les habitans ne sachant point lire n'y écrire au du moins très mal je suis obligé pour éviter les malentendus de ménager les écrits et de faire pour ainsi dire tout verbalement ce qui est infiniment pénible mais par ce moyen comme votre Excell. en a été elle-même souvent témoin j'en viens mieux à bout—même les commandants et les *Wagtheesters*, je les fait venir pour leur expliquer clairement les ordres que je suis obligé de leur donner par écrits.

S'il est possible de m'envoyer avec les voitures qui viennent de tems en tems de ces districts au cap deux ou trois caisses d'environ 20 ou 30 lbs de corals commun pour les *Bosjesmans*, et une de la même quantité plus fins pour les *caffres*, les habitans s'en chargeroient avec plaisir et votre Excell. m'obligeroit infiniment; j'en porterai la valeur en compte à la caisse de la colonie. Les *Bosjesmans* viennent tous les jours en foule chez les habitans et je suis obligé de leur donner ce que votre Excell. m'a envoyée pour les *Caffres*, mais la paix avec eux est de trop d'importance pour la colonie pour les négliger. Ma femme et mes enfans sont arrivés ici tous bien portant le 8 du courant leur présence dans la situation où je me trouve m'est d'une grande consolation.

Je suis infiniment obligé à Votre Excell. de leur avoir facilité les moyens de venir. Ce nouveau bienfait augmente encore ma dette et m'embarrasse comment je m'en acquitterai envers votre Excell.

Il faut mon General que je sois bien malade pour écrire aussi mal á votre Excell: mais j'espère qu'elle voudra bien avoir égard á ma position et me le pardonner pour cette fois, á une occasion prochaine je tacherai si ma santé me le permet de reparer mes torts. En attendant permettez moi mon general de vous témoigner que je suis avec la reconnoissance la plus sincère et le respect le plus profond,

Mon General

De Votre Excellence

Le tres humble et très obeissant serviteur
MAYNIER.

GRAFFE-REINET

le 26 Mars 1800.

P.S. Comme j'allois cacheté la présente le commandant Rensburg est arrivé pour me dire que tout alloit on ne pouvoit pas mieux dans son District et qu'il avoit emmené avec lui Frans Krieger un des fameux de chez Chijka, qui lui avoit demandé pour venir chez moi. Ayant fait venir Krieger il me demanda pardon de n'être pas venu plustot mais que cela lui avoit été parfaitement impossible que Chijka n'avoit pas voulu le permettre. Que depuis quelque jours Chijka avoit cependant permis á la femme de Botha de sortir, que lui et Piet Prinslo étoit venus pour l'accompagner et qu'elle étoit chez le Commandant Rensburg—qu'il me prioit en grace comme lui et les autres n'y pouvoit plus tenir chez Chijka de vouloir bien leur pardonner leurs fautes et de leur faciliter le moyen de sortir, que Chijka leur avoit déjà pris tout ce qu'ils avoient que Buijs n'étoit plus aussi bien avec Chijka et qu'il avoit grand envie aussi de le quitter, que c'étoit un enigme pour eux pourquoi Chijka depuis quelque tems leur en vouloit. J'ai répondu que je n'en savoit rien aussi—que je ne les avois point envoye chez Chijka—que votre Excell. par humanité leur avoit accordée leur pardon et la permission de rentrer dans leur pais et que c'étoit á présent á eux de s'arranger avec Chijka et de trouver le moyen de le quitter. A la fin je me suis laisser aller á ses prieres et apres lui avoir bien laver la tête je lui ai donné six douzaines de boutons et quelques livres de corales qu'il m'a demandé pour tacher de satisfaire Chijka et d'obtenir de lui la permission de sortir et je lui ai promis que je m'interesseroit pour eux auprès de Chijka. Vous voyez, mon general, que les choses vont assez bien que bientôt j'aurai toute cette clique redoutable

dans mon pouvoir. Demain ou après Prinslo sera ici aussi. J'ai dis cependant á Rensburg qu'en cas que le temps pressoit qu'il pouvoit laisser repartir Prinslo avec Krieger pour prendre leurs femmes qui sont encore chez Chijka. Désormais je ne les crains plus je vois qu'ils sont en peine. Les deux forgerons déserteurs sont aussi à Baviaans riviere, comme ils sont á pieds il ne seront ici que dans trois ou quatre jours. Je rend grace au ciel de m'avoir laissé la force de finir achevé tant bien que mal ma lettre. J'espere que désormais je pourrai á chaque lettre annoncer quelques choses d'agreable a votre Excellence.

[Enclosure B in above.]

[Translation of original.]

Letter from the Board of Consistory and some Inhabitants of Graaff Reinet to MAJOR GENERAL DUNDAS.

HONOURABLE SIR,—The undersigned Board of Churchwardens and the also undersigned Inhabitants of this District beg leave humbly to return to Your Excellency their thanks for the Peace and Prosperity which we at present enjoy again and which we owe, after God, only to the prudent measures pursued by Your Excellency, which measures have rescued us from the utmost danger, in which we were before Your Excellency's arrival, respecting not only our property but even our lives, and placed us again in the utmost safety,—and when we consider all this, then we feel utterly unable to answer so much goodness. But as Government cannot be indifferent about the love and affection of the subjects, we vouch them to possess the same, and we beg Your Excellency, in particular, will not disdain the same.

We beseech the Lord will vouchsafe to keep Your Excellency, together with the Governor your successor, in His favour for the benefit of this Country and its Inhabitants. He crown your steps with honour, and make you in the world to come partake of the salvation. We subscribe ourselves &c.

(Signatures omitted in the translation.)

GRAAFF REINET, *March 28th 1800.*

[Original.]

*Letter from SIR GEORGE YONGE to the RIGHT HONOURABLE
HENRY DUNDAS.*

Most Secret.

CAPE TOWN, April 7, 1800.

DEAR SIR,—Having done myself the Honor of writing to you by several occasions, and very lately by the *Camel*, I should not have thought It necessary to trouble you again but for a Circumstance so very extraordinary that I have felt it my Duty, not to delay a moment Communicating It to you, I therefore send this by a private Conveyance, but I hope a Safe one by Lisbon.

The Paper in Question will speak for Itself. It came into my Hands, partly from the very usefull & necessary Practice of sending all Letters up to government, and partly from some Former Circumstances, which led me to the Examination of Its Contents. I cannot help however Stating some Observations which have occurred to me, upon It, though I doubt not that anything will escape your Penetration.

In the first Place then, It appears to me that all the Canting Phrases of Godliness Is (at least among those with whom the Secret is lodged) a mere Pretext. I have I hope as much respect for Religion as any man, and I am as much a Friend to General Toleration as any, But I cannot so far hoodwink my understanding as to be led away by any plausible Professions of Piety, or any other Virtue, as to be the dupe of any Professions without real Foundation, and the System developed in this Paper appears to me to make use of Religion as a Cloak for very different Objects. Certain It is that the Confederacy Is a very powerful and extensive one, so much so as in my opinion to be very alarming, for I cannot see that It is necessary to make a Monopoly of Religion any more than of Commerce or Dominion, and I think this Society aims at a Dominion over more than one Object, according to my Ideas, Its object is clearly Commercial, and this can be proved both here and every where that they can carry on their Scheme. It may too be Political—and I am not without Suspicion that this appears from Circumstances as well as the other. Certainly It grasps at great Power, nor do I conceive any Confederacy can be more Powerfull

than one that Is connected so extensively as this—and the Writer even boasts of It—and proudly reckons up Its extent—including Berlin, Friesland, Rotterdam, Frankfort, Saxony, Switzerland, especially Zurich and even America, and all Persuasions, *Protestants, Papists, Lutherans, Calvinists*, United in this Confidence, and linked together—For what End? For the Sake of Religion? I think the Paper will soon shew that this *alone* Is not the object, tho It is the Means and the Pretence. For Instance “We are making efforts and Forming Unions in every Village in England and with astonishing success. In Scotland also we have a vast Field open, and are preaching there with great success, tho we are harrassed by *Church opposition*. In Ireland too Societies are formed for the same Purpose.” What Purpose? Is there no Religion in England or Scotland? Is Christianity not established in Great Britain? Whatever the Forms then may be cannot these Missionaries bear any Church Government? This then is at least the object and not Religion and Christianity—and Is there no Religion nor Christianity in any Village in England but what they can find means to teach? This is too gross an absurdity to be swallowed. As to Scotland, I heard of their Preaching when I was there—and I learnt from Persons of Credit, not merely from the Clergy, that they did much mischief—that whatever their *Religious* Secrets might be, their *Political* ones were Democratic, and the Effect of their Preaching to *promote Religion* was to prevail over the Minds of the deluded People to such a Degree as to make them do what seemed Impossible—namely to Cease reading the Bible and to throw It away as a useless Book, in Comparison of *their better Doctrines*. Is this Promoting Religion or Christianity? They prevailed chiefly in Fifeshire and in the Neighbourhood of Glasgow. This I learnt myself.

They are pushing themselves very much here. They deal largely in *European Goods*, which they supply their Proselytes with to *Good Profit*. Their Missionaries are most of them *Mechanicks & Tradesmen*, all *Reverend Men*; Blacksmiths, Shoemakers, Millers, & such like for the good of the Souls of their Congregations. I had It myself by accident from one of their Chief Missionaries that in this manner they dealt *largely* in *Manchester Goods*, in *Birmingham ware* of all sorts, in *Woollen Goods &c.*, and that they were possess'd of great Wealth and of *Funds* that were *equal to any Undertaking*. What this Botany

Bay Ship of 1000 Tons will bring out for them I cant say, but they seem to Exult in It as a great Enterprize of a most extensive nature—much too large as It strikes me for such an Object as the *Sandwich Islands*. I should think this a Pretence and that some Parts of *India* were much more probably in View. Indeed I cannot help being much surprised at a ship of 1000 Tons going to Botany Bay merely to carry Convicts or even Stores for that Colony; but as they will probably touch I find *here*, I may perhaps be able to judge of this, and I shall certainly think it my Duty to inform myself thoroughly about this.

I hardly need Notice the art with which the Drs. *wise & proper Report & Journal*, so well drawn up, is applauded—Was there so much Care & Caution wanted? They think so, and I have seen *another Letter*, though I have not got it, in which they recommend the *greatest Caution*, in order to prevent *too much being known*, and they speak of *Investments*, of *Remittances*, and of *Resources* equal to any Undertaking in a manner savouring very much of Worldly Wisdom, tho all cover'd with much apparent Sanctity and Zeal for Things that are not of this World.

The last Observation I shall make Is the Vanity and Boasting with which their success has tempted them to describe their Power, their means the Extent of their Plans and of their Confederacy; not in the humble Garb of Gospel meekness, but in the stile of artfull, bold, and enterprizing men whom nothing can Vanquish, terrify, or defeat—their Hostility to all Church Government and even to Christianity itself, as I have before observed, except in their way and to answer their Purpose. For no Village, no Country Is Christian, tho long established as such, unless by their preaching—and no Part of Mankind has any Religion that Is not taught by them. That they, if they were really pious, humble men filled with Zeal, should promote Religion where It was not known might be laudable & deserve encouragement, But when they lift up their Proud Heads and sett at nought all Established Forms of Worship, and excommunicate as It were all the world as being in the Darkness of Irreligion unless they become enlightened by them, then I think, to conclude all I have to say, I may venture to affirm that some other Spirit than that of religious Zeal animates & Inspires them.

I have dwelt longer on this Subject than perhaps I need, or ought, but the Subject has led me on as I proceeded to express

my full Sentiments, which I now leave to your much better Judgement and Consideration. I have &c.

(Signed) GEO. YONGE.

[Enclosures in above.]

MY DEAR BRETHREN,—I am unable to convey to you an adequate Sense of the impression your Letters & Journal have made upon us. The Tears started from our Eyes, & we embraced you across the Ocean with a vast increase of fraternal affection, & confirmed Confidence that the Lord had sent you to those poor Gentiles to make them Obedient, as he had blessed you by the way so signally to the most wretched of the Children of Men. Go on and the Lord be with you, eagerly shall we expect the continuation of your Journals and may they report to us still greater Things than these.

The Holland Letters were immediately dispatched & will give great Joy to all the Holy Brethren, a Host of Labourers will I hope soon follow you, for this End I drew up a warm Letter to the Secretary, which went off with the Letters & packet, & we hope to hear shortly that our Calls are heard and answered. I have now to gratify abundantly your request to know how we go on. The prosperity with which the Lord hath crowned all our attempts makes me afraid when I feel how very unworthy we are, yet shall he not glorify his own great Name? From abroad our Correspondencies are all of the most encouraging kind. From Berlin, Friesland, Rotterdam, Frankfort, Switzerland, Saxony, all rejoice with us, & urge us to persevere. A large Society of Lutheran & Dutch Ministers have assembled at Zurich, & zealously united in Missionary Labour. Our last advices from them already spoke of one ready to go & they able to equip him. A universal Spirit of Zeal seems to be awaken'd upon the Continent, & even many Papists called to the knowledge of the Truth. We hope great things from united efforts. The Dawn seems to be breaking of a Day of Glory, & if the same Spirit be kept awake & in the increasing ratio of activity which has been lately seen, there are no Bounds to which we may not extend our Hopes.

As blessed are the efforts making at Home. Unions are

formed in various places for spreading the Gospel thro every Village, and the numbers who are rising to witness for the Truth astonish us. These, where had they been? In Scotland a vast field is opened. Mr. Hill, Mr. Barder, & others are there preaching with great success, and it may be expected much Church opposition, but they are not Men to be discouraged. In Ireland Societies are formed for the same purpose, & we have earnest Solicitations for preachers. Two are now labouring with great success in the province of Ulster, Mr. Cooper, whom you know, & Mr. Richards. They are heard with great attention & seriousness by multitudes of the Papists as well as others, and their Labours promise great increase. We are planning to send others to Dublin, and Hope another Year to beat up all the Country and call them from their Darkness into the marvellous light of Gospel Truth.

Our own Society seems strengthened daily & prejudices against it vanquished. Success encourages our activity. We are at present engaged on a new & vast Mission to the Sandwich Islands in a very large Ship intended to carry convicts to Port Jackson, of about 1000 Tons, & which we hope will witness less Scenes of Distress & like labours of Love & Success as in yours. We are filled with encouragement & Consolation by the Reports you have made to us. She is called the *Royal Admiral*, & will not probably touch at the Cape.

I have conveyed to Mr. Latrobe your Intelligence and rejoice at the Steps you are taking and your Honor with the Brethren, they are our Elders in Missionary Labour. Dr. Vanderkemp's Journal was read in full assembly. I will not say how wisely & properly it was drawn up. My dear friend & associate will continue his blessed Labours, they are sure to meet the public Eye with approbation. We all felt for the trying times you must have experienced, especially the sickness on board, & cannot but admire & approve your steady & intrepid attentions to the sick and the dying, as well as your Labours to the Living. In the Way of Duty we are safe. Confidence in God is the great preservative, go on my dear Brethren strong in the Lord & in the power of his might.

We rejoice greatly in all your success & favour at the Cape. The passports have followed you. The moment we heard they were necessary Sir Jos. Banks applied for & sent them in the most obliging manner. From him & Lord Liverpool we continue

to receive every assistance we ask, with a promptitude & obligingness which is highly gratifying. Government are fully satisfied that the work of the Lord we are engaged in cannot but in the highest manner ultimately conduce to national advantage.

The formation of a Society at the Cape will be highly advantageous, as thro them our future missionaries & correspondence will more readily pass to you. Be assured you will all be borne on our Hearts, & if you heard the prayer offered up for you continually, & especially that of the last Monday at Mr. Wesley's Queen Street Chapel, before we received your letters, you could not but have felt the assurance of faith that God was with us of a Truth, & was hearing & would answer us.

My dear Doctor whom I love in the Truth, I wish to speak a word of deep acknowledgement to God for all your mercies, & of my joy to hear of, & be thus remembered by you. Shall I say how much Delight it will always give me to hear of your affairs. I doubt not the Lord will give you the wisdom that is profitable to direct, and to your dear young friends the attentions due to you, and the fidelity which may give peculiar Energy to your united Labours. I have included all, as you are all dear to me, and we are all one in Christ Jesus. Remember me to Mr. Vos, my Moravian Brethren, & every Brother which helpeth with us & laboureth.

Yours affectionately,

T. HAWEIS.

REV. DR. VANDERKEMP,
Cape of Good Hope.

MY DEAR EDWARDS,—I have sent thro the Doctor a common Letter. The Secretary will probably write more fully. I thank you for yours. It was truly refreshing. Five of the Bath Congregation, Mr. Grimes & his wife, Mr. Luffman, Mr. Reid, & Mr. Nixon have been accepted as Missionaries for the next embarkation. I hope your example will provoke very many, & your fidelity edifie them. Pay the childlike submission you owe to our Dear Superintendent, Live in cordial Union with your Brethren, Be men of One Heart. Let no spirit of disunion & self opinion enter among you. I charge you be watchful over your own Spirit, that impatience, discontent, or self exaltation may never find a harbour in your Heart. Present my love to

Brother Kicherer & Edmonds, & may the God of Love & peace be with you.

Yours affectionately,

T. HAWEIS.

July 17th 1799.

[Original.]

Memorial of MR. H. A. VERMAAK.

To the Right Honorable Henry Dundas one of His Majesty's Principal Secretaries of State &c. &c. &c.

The humble Memorial of Hermanus Augustinus Vermaak Sheweth

That your Memorialist is a Native of the Colony of the Cape of Good Hope where he carried on the Business of a General Merchant and Commercial Agent previous and subsequent to the Capture thereof by the British Forces in the Year 1795.

That his Friends and Relations being chiefly resident in Holland your Memorialist was in the habit of corresponding therewith, and among others with Francis Bremer of Amsterdam and in the Month of September last was ordered to attend Henry Fraser Esqr. (then Commanding Officer at the Cape in the absence of his Excellency Major General Dundas) with his Papers for the purpose of being examined as to some suspicions entertained against him, and among your Memorialists Papers then unreservedly delivered up, were found Letters relating principally to Matters of private Concern, and also to some Papers transmitted by the Inhabitants of the said Settlement to Holland, for the purpose of recreminating upon Mr. Sluysken Governor of the said Colony while under the Government of the United States, on some circumstances which had passed previous to the Capture thereof, in consequence whereof the said Henry Fraser ordered your Memorialist to leave the said Colony, admitting him to Bail, until his Excellency the Governor should order him to be secured and tried, or a further Treasonable conduct deserve more rigid Measures, notwithstanding which Order, and altho' your Memorialist solicited and entreated the said Henry Fraser to permit him to continue in the said Settlement for three Days longer, within which Time the said General Dundas was expected to return

thereto, and who would, as your Memorialist believes, have himself investigated the Cause of his Confinement, and rendered Justice to your Memorialist, and notwithstanding no further Suspicions of Treasonable Conduct were alledged against him, and altho' from the Time of his being arrested he was ready and desirous to be tried by the Court of Law established at the Cape, for his supposed Offence, and which was then sitting for the administration of Justice, he was sent on board the Ship *Regulus* without Medical Assistance, and notwithstanding the Certificates of the Surgeons of the British Government of the then State of his Health, and has been transported to this Country at an Expence to himself of more than £350.

That your Memorialist had the strongest impressions upon his Mind in common with the other Native Inhabitants of the Cape, of the liberality of the British Government, exemplified by a Letter from Sir J. H. Craig bearing date 14th December 1796.

That your Memorialist never by Act or Deed committed any Offence against the British Government of the Cape, nor ever attempted to influence the Opinion of others. That the expressions in the Letter which he supposes to have been the cause of his being sent to England, under all the hardships to which he has referred, is a frivolous Act of which he sincerely repents, but to which nothing in the Character of Crime can be said to attach. That such an Act could neither justify the epithet of Malefactor, which is applied to him in Mr. Fraser's Letter nor ought it he humbly submits, to have been followed by the treatment to which he has been subjected, with a deprivation of Trial by the Judicature established at the Cape, a separation from his Wife and Children, and all the Severities of Confinement in a long Voyage in a Dangerous State of Health, without Medical Assistance.

That your Memorialist is assured that the unfavorable Suspicions entertained of him have originated in the Jealousy and Intrigue of some of the Native Inhabitants of the Cape, and from the Absence of General Dundas from Cape Town and his consequent incapacity to examine himself into the causes of your Memorialist's Imprisonment, otherwise from his known Justice and Humanity in the Discharge of his Publick Duty, your Memorialist has every Confidence that he would have received a fair and impartial Trial at the Cape, had any been considered as necessary.

Your Memorialist therefore humbly solicits your immediate and candid consideration of his case, and that you will order him to be discharged from the Custody of the Messenger with whom he is confined, greatly to the prejudice of his Health, which requires Air and Exercise, your Memorialist being ready to give undeniable Security for his Appearance at any Time and place to answer any Charge against him, trusting that when the British Government is satisfied of his Innocence, which he is confident will be the result, he may obtain permission to return to his Family and Native Country.

AT MR. LYELLS, STAFFORD PLACE,
10th April 1800.

(Signed) HERMANUS AUGUSTINUS VERMAAK.

[Copy.]

Letter from CAPTAIN D. CAMPBELL to SIR GEORGE YONGE.

CAPE TOWN, 15th April 1800.

SIR,—A report being prevalent in this Town for some time respecting two small Vessels sent in here with Slaves by the *Collector* Privateer as prizes, and condemned as such in the Vice Admiralty Court, that the said Vessels were captured without any Cargo, and sent into Mozambique, where the Slaves were purchased and sent on board of them for this place: and since the arrival of said privateer it is also reported that the Slaves on board her were also purchased at Mozambique, and not Prize Slaves, as stated; but conceiving it impossible that any man or set of men could be so foolhardy as thus to impose on Government and the Vice Admiralty Court, thro' the Virtue of a Letter of Marque, I considered it as a scandalous and malicious report, until some of the most respectable British Merchants here mentioned it to me in a manner reflecting on my Character in my public Capacity, to allow a Traffic so pernicious, as they stated it, to the fair Trader, to pass unnoticed in so glaring a manner; I therefore thought it my duty to trace the Report to its Source, and found it originated with a Captain Smit of the Danish Ship *Holger Dansche*, now lying in these Roads, who

declares that he was at Mozambique at the time the small Vessels before mentioned came in there, that they entered the port with the usual signal of prizes, that is, the English Colours over the French, but had neither Cargo nor Slaves on board, and that therefore the Slaves were purchased there and sent on board for this place: to which he and his officers are ready to make oath, if required.

From which I am concerned to find there appears to be proof positive respecting the Slaves in the two small Vessels, and a strong presumptive one that those in the privateer *Collector* were got in the same manner; at all events the imposition respecting the two former Vessels being no doubt transacted by, and for the interest of, those concerned in the *Collector*, in my opinion makes the whole liable to Confiscation; but this I submit to your Excellency's superior Judgment: and I trust that your Excellency will be pleased to consider that my Duty alone induces me to make this representation, being directed by my Instructions to prevent illicit Commerce as much as is in my power, and this appearing to me to be a species of that Commerce, equally dangerous and insulting to Government, as prejudicial to the fair Trader and Community at large, I feel it an obligation due by me to His Majesty, Your Excellency and my Country, to lay this statement before your Excellency, and beg leave to express the Hope that your Excellency will be pleased to direct the Fiscal, as Prosecutor for the Crown, to bring the matter to a legal investigation, to whom I have transmitted the particulars. I have &c.

(Signed) D. CAMPBELL.

[Translation of original.]

Letter from COMMANDANT TJAART VAN DER WALT *to*
MAJOR GENERAL DUNDAS.

HONOURABLE SIR,—I again beg leave to report to Your Excellency that in this quarter every thing is quiet again, but the Bosjesmen still continue hereabouts to steal and murder. From the quarter of the Gourits River I hear the Rogues have stolen at sundry places and some of them have been killed, after which it is quiet again. I have reported everything to the

Commissary at Graaff Reinet. Only we cannot keep our Cattle from those Rogues, for should we keep our cattle together and not allow them to graze, then all our cattle must die from want of pasture and water. The epidemical disease of the Horses is still increasing. The man who is with me is very desirous to go to Cape Town, so I send him with the Papers according to Mr. Maynier's direction. I was very happy in receiving Your Excellency's answer to my Report, and I shall always esteem myself bound to report any important occurrence to Your Excellency. I remain &c.

(Signed) TJAART VAN DER WALT, Commandant.

OLIPHANT'S RIVER, *April 16th 1800.*

[Office Copy.]

Letter from the WAR OFFICE to SIR GEORGE YONGE.

DOWNING STREET, *28th April 1800.*

SIR,—Your Dispatches of the 12th of January last reached me only a few Days ago, and as the Vessel by which I have an opportunity of writing is now under Dispatch, it is not in my power to do more than to acknowledge the receipt of them.

I should however be wanting in candour if I omitted for one moment to state to you that the light in which you have represented the judicious, æconomical and much approved Conduct of your Predecessor, has given me the greatest uneasiness, as I have no hesitation again to declare to you (what I frequently attempted to impress upon you before your Departure) that any material deviation from the System of Administration he had Established, and particularly any Expenditure of the Public Revenue of the Colony (not sanctioned by the most pressing and evident necessity, or by express Orders from Home) which might arise from such a deviation would certainly be disallowed, and meet with His Majesty's most pointed disapprobation. I must freely confess to you that upon this Subject the Information I have received, and that which has reached the other Departments of Government, have excited the greatest apprehension in my mind that many steps have already been taken, not only in the Civil and Revenue

Departments, by which great Expence is likely to be incurred, new Appointments created, and some which had been found unnecessary revived, but also that a mode of creating Military Promotions has been adopted, for which you could certainly have no precedent in the former Government of the Colony, or in any other Civil Government, as it is utterly inconsistent with His Majesty's Regulations, subversive of the Authority of the Commander in Chief, and an improper Interference with the Duties of the General Officer Commanding at the Cape of Good Hope.

Having no regular Official Information before me, I must defer entering into any more specific Statement until I receive from you an Official Report of the Places to which you have appointed, of the Buildings or other Works, involving an Expence to the Public, you have directed to be undertaken, with the Estimate of such Expence, of the Alterations you have directed to be made in the Civil or Financial Administration, and of the receipt and Expenditure of the Colony since your arrival, and I am the more anxious to receive it, as I must fairly own to you the Impressions I am now under, are such as lead me to apprehend it will prove unsatisfactory to His Majesty's Government.

[Original.]

Letter from MAJOR GENERAL DUNDAS *to the* RIGHT HONOURABLE
HENRY DUNDAS.

CAPE OF GOOD HOPE, 6th May 1800.

SIR,—I have been applied to for a Letter to you by some Armenian Merchants at this time residing at the Cape the Proprietors of the Cargo of the Ship *Angelique* a Vessel under Danish Colours which having been seized while on her passage from Madras to Manilla by His Majesty's Ship *L'Oiseau* was brought in here as a prize and has been detained for a very considerable space of time for the purpose of Judicial Examination by the Vice Admiralty Court.

My want of knowledge respecting all the circumstances which have occasioned the detention of the *Angelique* as well as my incompetency of judging in a legal question of this nature would have prevented me from complying with the request of the

Armenian Merchants, but as I have had the honor to receive a letter from the Governor General in Council at Madras upon the subject of the capture of the *Angelique*, and since from the contents of the said letter it appears that the trade carried on by the Armenians was with the sanction of the Hon^{ble} Company's Government in India I am led to think that there is not any impropriety in expressing to you my sentiments upon this occasion being of opinion that although the case of the Ship *Angelique* has unquestionably been considered by the Court of Vice Admiralty here in such a manner as is agreeable to the direction and strictness of Law yet the commercial question which the case involves will prove to be sufficiently important to merit the notice of His Majesty's Ministers.

Under this impression I have taken the liberty of troubling you with this letter transmitting at the same time a copy of the one addressed to me from the Governor General in Council relative to the capture of the Danish Ship *Angelique* by His Majesty's Ship *L'Oiseau* to which I have already had the honor to allude. I have &c.

(Signed) FRANCIS DUNDAS.

[Original.]

Letter from CAPTAIN D. CAMPBELL *to the* RIGHT HONOURABLE
HENRY DUNDAS.

CAPE OF GOOD HOPE, 8th May 1800.

SIR,—Since the Departure of the Earl of Macartney from this Colony, when I had the honor of writing to you last, nothing having occurred within my knowledge or line of Duty worthy your attention, I have not presumed to intrude on your time; but the following particulars I trust will not be deemed unworthy your attention.

The Earl of Macartney no doubt will have informed you of his just and political reasons for preventing as much as possible all commercial or other Intercourse with the Colony of Mozambique, at which the Merchants of this Town, particularly the British, were much offended, and shortly after his Lordship's departure it appeared that some of those Gentlemen had not lost sight of a

Branch of Commerce which promised so much profit, that is, The Slave Trade.

On the 27th January 1799 the Portuguese Ship *Joaquim*, said to be bound to Rio de Janeiro with 450 Slaves on board, anchored in this Bay for Water and Refreshments, as stated, and the Lieutenant Governor in consequence of numerous petitions and memorials from the Burgher Senate, Court of Judicature, Merchants, &c., representing the Distress the Colony laboured under for want of Slaves, permitted the whole to be landed and sold here, which gave general Satisfaction. The British Merchants then concerned in those Slaves were the House of Tennant & Trail: they no doubt for good reasons admitted a Mr. Michael Hogan to a Share; shortly after this period Mr. Hogan fitted out from this Bay a private Brig of War called the *Collector*, commanded by a Mr. David Smart, who sailed about the beginning of March 1799 to cruize, as stated, against the Enemy about Madagascar, the French Islands, and the adjacent Seas. On the 10th November following a Schooner called *La Rose* with fifty-six Mozambique Slaves on board, said to be captured from the French by the *Collector*, arrived here. On the 25th December another small Vessel called the *Africa*, with twenty-five Slaves of the same nation, anchored here, also said to be captured by the *Collector* from the French: the whole were condemned as prize by the Vice Admiralty Court. On the 11th February the *Collector* arrived with about two hundred and fifty Mozambique Slaves on board, said to be taken out of a French Ship she drove on shore on the Coast of Madagascar, which Slaves were also condemned by the Vice Admiralty Court as lawful prize, and on the 15th Ult. they were landed for Sale, when I thought it a Duty incumbent on me in my public Capacity to state to His Excellency the Governor such information as I had received respecting those Slaves, a Copy whereof I have the honor to transmit with this. His Excellency in consequence directed the Fiscal to enter into a legal investigation of the matter, which commenced the 16th Ult. by a Committee of the Court of Justice, to examine Evidence, which continued sitting until the 21st, by which time I clearly proved by the Officers and Crew of the *Collector* itself, and by the regular Log Book of the Vessel, that the Slaves on the two small Vessels *La Rose* and *Africa*, as stated by the Danes, were purchased by the Commander of the *Collector*, Mr. Smart, at Mozambique, and

that the *Collector* had sailed from thence to the River Quilimane on the Coast of Mozambique, where her Commander not only purchased the Cargo of Slaves imported in her here, but also assisted in putting the Cargo of Slaves on board the *Joaquim*, which arrived at this port a few days after the *Collector*. The Court have confiscated the whole of the Slaves in consequence, which were on board the *Collector*, *La Rose*, and *Africa*; but Mr. Hogan having endeavoured to prove to the Court that he was not privy to or acquainted with the Conduct of the Commander of the *Collector* Mr. Smart, who, he stated, had throughout informed him that the Slaves were prize, they remitted him the customary fine of three times the Value.

How the Court of Admiralty could have been so grossly imposed upon in all this transaction is surprizing; the report stated in my Letter being so public in the Town, that I never thought it could possibly escape the knowledge of the Court until I found the Slaves in the *Collector* were absolutely condemned as lawful Prize, and landed, when I determined that so glaring and pernicious a Traffic should not pass unnoticed; and I trust the Consequences have been such as will for ever prevent any future attempts at such an illicit Commerce, which will answer every view I had in my representation of the Subject to His Excellency the Governor, and which I trust will meet your support and approbation.

I write the Earl of Macartney on this Subject, his Lordship being acquainted with the persons concerned, and other circumstances. I therefore beg leave to refer you for any further particulars to His Lordship. I have &c.

(Signed) D. CAMPBELL.

[Original.]

*Private Letter from MAJOR GENERAL DUNDAS to
WILLIAM HUSKISSON, ESQUIRE.*

CAPE OF GOOD HOPE, 10th May 1800.

DEAR HUSKISSON,—Should the letters which I have recently written have reached England their contents have given what will be deemed I hope my share of information respecting the public concerns of the Cape and as nothing extraordinary has occurred

lately relative to our affairs which have remained in the tranquil state in which I hoped and indeed ventured to predict their continuance it is my intention in writing to you at present to confine myself within narrow bounds.

I have the satisfaction to say that appearances at this time are such as promise no interruption of our repose but to enable you to comprehend the actual situation of things in that part of the Colony lately so much disturbed I shall transmit for your perusal a copy of the latest Report which has been received from the District of Graaff Reinet together with a translation of a Dutch address to me from some of the Farmers dwelling in the distant country from which last you will perceive that the spirit of Jacobinism is a little on the decline: This propensity is not I believe easily subdued but I have used my best endeavours for rendering it less prevalent here arrogating to myself no other merit for any exertions of mine on that score than what is due for the fatigue I underwent while directing the measures which have contributed to that end and by means of which the Peace of the country with I think an increasing confidence in our Government have been established.

Although I am concerned at being obliged to mention the existence of a difference between Sir Geo. Yonge and me yet I hope that I have reason to rejoice in the discussions which have taken place in consequence of it since every misunderstanding has been removed and all pernicious and frivolous disputes upon points of military or public duty for the future precluded.

The truth has been that such was the giddy and offensive conduct of some young Gentlemen whose influence is perhaps too great at the Government house and such the interruption or disgust to which day after day I found myself exposed as made it no longer possible the submitting with good humour consequently I have been absolutely compelled to bring matters to an explanation with our Governor, I have great pleasure however in reporting to you that contrariety of sentiment no longer exists but as men in situations similar to mine are liable to meet with misrepresentation I mean to send you by the present opportunity a copy of correspondence betwixt Sir Geo. Yonge and me upon the forementioned subject of the military jurisdiction leaving it with you to communicate to Mr. Dundas the particulars of it moreover placing my reliance upon your friendship in taking the trouble to assure

Mr. Dundas of my firm determination to preserve at any rate harmony and concord which I conceive to be essential and which it is my duty to maintain for the honour and advantage of His Majesty's service.

I beg that you will believe that I am &c.

(Signed) FRANCIS DUNDAS.

[Enclosure A.]

[Copy.]

Letter from LIEUTENANT SMYTH *to* CAPTAIN TUCKER.

RONDEBOSCH, April 8th 1800.

SIR,—I am directed by Major General Dundas to inform you that it having been reported to him by Brigadier General Vandeleur that an order was given by you for the march of the Cavalry from Stickland without the previous knowledge of the Major General and contrary to the rules of the service, the Major General requests that you will inform him through me if you were authorized so to do. I am &c.

(Signed) J. C. SMYTH, A.D.C.

[Enclosure B.]

[Copy.]

Letter from CAPTAIN TUCKER *to* LIEUTENANT SMYTH.

GOVERNMENT HOUSE, April 8th 1800.

SIR,—In reply to your letter which I have this moment received I request you will inform Major General Dundas that *no order has been issued by me* for the march of the Cavalry from Stickland, and that I was sent by His Excellency the Commander in Chief to enquire of Brig. General Vandeleur whether the Mangers could be removed from Stickland without subjecting the Cavalry there to inconvenience, as in that case he should make the necessary arrangement with the Major General for removing them.

I am extremely concerned that the mistake should have occurred

and must further request you to assure the Major General that I should not have acted contrary to the rules of the Service or without due authority. I have &c.

(Signed) JOHN G. P. TUCKER, Aid de Camp.

[Enclosure C.]

[Copy.]

Letter from BRIGADIER GENERAL VANDELEUR *to*
LIEUTENANT SMYTH.

CAPE TOWN, April 9th 1800.

SIR,—I send you per the Bearer the inclosures which I received late last night at Stickland, and am sorry to observe that Captain Tucker must either have forgot the message he delivered me on the 7th instant or his ideas of an order must be very different from mine. I beg you will inform Major General Dundas that nothing would hurt me more than that any disagreement should happen from a misconception of mine; at the same time I must (in my own vindication) observe that Captain Tucker expressed himself to me nearly in the following words: *General Vandeleur I am come from the Governor to inform you that it is his intention to have all the Mangers brought into Town from Stickland, he therefore desires you will remove the Dragoons at present there either to the Cape or some one of your cantonments whichever may be found most convenient.* Not One Syllable of General Dundas was mentioned until I asked Captain Tucker whether the General was made acquainted with the intended movement. I shall make no comment upon this business myself but will leave it to the Major General to judge how far I have been correct in construing Captain Tucker's message into an Order. I am &c.

(Signed) T. P. VANDELEUR, Brig. Genl.

[Enclosure D.]

[Copy.]

Private Letter from MAJOR GENERAL DUNDAS *to*
SIR GEORGE YONGE.

10th April 1800.

DEAR SIR,—I think it my duty to submit the enclosed papers for Your Excellency's perusal, and as I am now convinced that under the present misconception relative to the Military jurisdiction here His Majesty's Service cannot be carried on it has appeared to me indispensably necessary to issue an Order this day stating that the former customs are to be adhered to as established during the Administration of Your Excellency's predecessor.

Your Excellency having concurred with me in opinion that no alteration respecting the Military regulations of the Garrison will take place it would be superfluous the troubling you any further upon this subject. It is also unnecessary for me to add that so far as my professional duty will permit I am at all times ready and willing to second your wishes and to comply with your commands.

I have &c.

(Signed) FRANCIS DUNDAS.

[Enclosure E.]

[Copy.]

General Order by MAJOR GENERAL DUNDAS.

CAPE TOWN, 10th April 1800.

It has become necessary for Major General Dundas to communicate in General Orders that no alteration has taken place at the Cape with respect to the Military Regulations or forms which have been established for His Majesty's Troops in this Settlement; consequently all Military Orders and Instructions will be given as has been usual by the Major General or during his absence by the Brigadier General or the Senior Officer on the Spot who will continue to receive the commands of His Excellency the Governor in the usual manner:—

Such particulars of His Excellency's wishes as relate to the Guards and Corps in Cape Town through the Town Major and

those respecting the Troops in General or at the Out Posts from His Excellency himself as was the practice of His Excellency the Earl of Macartney, and since the military arrangements which were made during the able, upright, and prudent administration of His Lordship have been fully approved and confirmed at home, those arrangements with respect to the Military Departments at the Cape cannot be repealed or altered until such time as an order for that purpose shall be received from His Royal Highness the Duke of York, the Commander in Chief.

[Enclosure F.]

[Copy.]

Private Letter from SIR GEORGE YONGE to MAJOR GENERAL DUNDAS.

CAPE TOWN, April 10th 1800.

DEAR SIR,—I am this moment honored with your letter of this day's date and nothing can equal my surprise at the contents of it, excepting my concern that you should have gone the length of issuing any Order till you had received from me the explanation which the papers you have sent me must have convinced you was necessary and still more that you be so entirely convinced of the existence of a misconception respecting military jurisdiction which does not exist at all.

My Aid de Camp seems to me (by the relation given by B. General Vandeleur) to have mistaken my idea though it does not appear to me to be a mistake of the nature described.

With regard to the Point of the Escort it is needless to say anything, because I suppose you must recollect I wrote to you myself and desired you would give the orders about it, and you wrote me word you had done so.

With regard to the business of the Mangers which it is hardly worth while to state it has nothing of a military nature in it. It was reported to me by the Barrack Master General that he called at Stickland and found the whole in a state of dilapidation, but that the Mangers were serviceable, and it might save time and expense if some of them at least might be removed to accommodate the Cavalry intended to be in Cape Town. It occurred to me as very desirable if it could be done without inconvenience, but that

I doubted if the mangers were removed, which might not be yet proper, and therefore I directed Captain Tucker to consult General Vandeleur what inconvenience might arise to the Troops at Stickland if the Mangers were to be removed, and his opinion being that what appeared to be wanted might be removed without the Cavalry at Stickland being inconvenienced or their being at all removed, since there would be still sufficient for the Troops there.

Upon this I signified my consent to the removal of such of the Mangers as could be spared.

Having thus fully stated the transaction I have only again to lament that you were not willing first to receive some account of it from me, instead of issuing an Order which I know not yet the nature of, but which there does not appear to me to have been any occasion for. I have &c.

(Signed) GEO. YONGE.

[Enclosure G.]

[Copy.]

Private Letter from MAJOR GENERAL DUNDAS to
SIR GEORGE YONGE.

11th April 1800.

DEAR SIR,—There is a part of the contents of Your Excellency's letter of yesterday to which it appears requisite to me to return an answer.

The circumstances Your Excellency has mentioned of the *Escort* respecting which you did me the honor of writing to me a few days ago has had no relation whatever with the subsequent transaction of an order given to the Cavalry by Captain Tucker without my knowledge and of which I have reason to complain nor is it necessary to observe that in consequence of your commands the Detachment was forthwith ordered to attend Mr. Barnard at Stickland, and since the Secretary has not made any representation to the contrary I take for granted the Order sent to the Dragoons has been duly complied with.

Feeling the greatest personal regard for Your Excellency no one can more thoroughly lament the existence of a cause creating any misunderstanding between Your Excellency and me; however I

beg your permission to state that having been appointed to command His Majesty's Troops at the Cape by His Royal Highness the Duke of York who has been formally notified Commander in Chief it will be impossible for me to relinquish my authority without his knowledge and acquiescence and as for the present I must endeavour to perform the task assigned me in such a manner as my professional duty seems to me to require, Your Excellency will pardon the suggestions which it may be incumbent on me to offer with a view to that end.

I have hitherto contented myself with silently considering the good or bad effects which the military arrangements made without my participation since Your Excellency's arrival have a tendency to promote, from which circumstance I hope not to have forfeited a claim to your indulgence to make should it become necessary hereafter an Exposition of my sentiments which I have reason to think upon Military subjects is expected from me.

Your Excellency's amiable character and disposition ensure towards you my perfect estimation, but the asserting the honor and privileges of my profession I consider an obligation the performance of which at all hazards cannot be dispensed with.

I have &c.

(Signed) FRANCIS DUNDAS.

[Enclosure H.]

[Copy.]

Letter from SIR GEORGE YONGE to MAJOR GENERAL DUNDAS.

CAPE TOWN, April 11th 1800.

SIR,—I am this moment favoured with your letter of this day's date just after I had sealed a letter I intended to be sent you and it is become more necessary to send it you on account of the contents of your last which gives me the greatest concern, and I must once again entreat you *seriously* to consider the business before that misunderstanding takes place which you seem to state as unavoidable, though I confess I still am at a loss to conceive the reason of it and I am very unwilling indeed to suppose there should be an inclination without the reason. I still more wish you to consider whether if there appears to you to be any grounds for a misunderstanding they are not such as may be removed

rather than insisted on, and that you would rather agree with me in endeavouring to remove them, if they exist, than prefer there being any misunderstanding between us on that account. I am as yet so utterly at a loss to account for the existence of any ground whatever for complaint being perfectly ignorant of what you allude to that I can only advert to what you now state namely the business of Captain Tucker, and certain military arrangements said to be made since my arrival without your participation, and on these two only points which have been mentioned I will now briefly state the fact.

First, as to Captain Tucker's business, if there was really any Order given for removing the Horses from Stickland which to this moment is more than I have any certain knowledge of, it was evidently a mistake of Captain Tucker's, and here you will give me leave to say that one moment's consideration would have convinced you it was so, and I should have thought that the first thing to have been done would have been to have ascertained where the mistake lay. For it appears from the papers you sent me that Captain Tucker assured you *no orders whatever* had been given for the removal in question which is indeed the truth. On the other hand General Vandeleur's letter implied that he understood by Captain Tucker that it was my wish they should be removed. There then was evidently a mistake somewhere. Would it not have been right to have been *sure* where the mistake lay? Would it not have been right to have participated with me to know from myself which was right before you came to any Opinion upon the subject? More especially as you knew so very lately that in the business of the Escort I had preferred communicating with you on the subject to giving any orders myself about it; so that it was on the Face of it most likely I should not have preferred taking any other method on this occasion, and this is the relation I alluded to between this business and the other because it was evident there was something which required explanation which you might easily have obtained, and why this was not done I to this hour cannot tell. I am very sure I would have done so, if I had known anything of the matter, but I know nothing of it so far from having any part in the business and to this hour know nothing of it but what you have told me.

So much for *this fact* stated to be a Ground of Misunder-

standing, the other stands exactly the same. For I have to this moment to learn *what Military arrangements I have made*. For I do protest I don't know I have made any at all since my arrival, nor have I even thought of making any. On the Contrary I have *expressly* referred every thing of the sort to you. It remains therefore to *state* what is meant by all this, for I protest I have not the least recollection of any thing of the sort, and here again give me leave to say that this misconception is again a proof there must be some mistake, and certainly unintentional on my part since I do not know what this means, and here again I earnestly beg you will rather prefer trying whether any thing of the sort which appears to be a ground of dissatisfaction may not be of a nature that may be removed rather than taken up as an unavoidable ground of complaint, and I will once more entreat you to prefer this mode to any other. If not I shall lament it, but in that case the misunderstanding will not be of my chusing.

With regard to your opinion about your appointment to command the Troops here by the Duke of York, I imagine it would have been the same if Lord Amherst or any other Commander in Chief had appointed you. And I do assure you that had you been appointed to that command by myself which was possible, and would have been had it been a little sooner, I should by no means consider such an appointment to command the Troops as an independent appointment, nor as superseding the Supreme Power vested in the Governor as Captain General and Commander in Chief by the King's Commission, nor can any Military man I think be of that opinion.

I will now only trouble you with one word more having I hope clearly gone through the Topics stated by you as grounds of complaint; when there is a disposition to complain there is no such thing as preventing it. The clearest explanation and the strongest wish to avoid it would be in vain. When there is no disposition to complain which I hope is the case the discussion of the limits and extent of extreme Rights and Claims always does mischief, and defeats the best intentions to avoid it. I do therefore earnestly persist in entreating your *calm* attention to my other letter, and again I implore your avoiding any such endless and useless discussions. They are perfectly unnecessary. I am desirous to participate with you on all Military Arrangements whatever, I neither have nor ever had any other Idea, and nothing

shall make me do otherwise but the being obliged to it, and even then I shall regard the being obliged to do what will then be necessary as the greatest misfortune. Do you entertain the same disposition? I will be bound to say all grounds of misunderstanding will then disappear, or be easily removed. You are pleased to advert to the amiableness, as you are pleased to call it, of my disposition. If so is this not a pledge to you that there can be no necessity for any misunderstanding between us, and on my side at least I will venture to say that from that very disposition you may be sure there will be no inclination in me to create any. Give me the same pledge on your part, and there will be an end of all this disagreeable business. It concerns the welfare of the Colony therefore it concerns us both to do so. On me at least will not rest the consequence of what may follow, for from me shall not commence any misunderstanding whatever. Let me hope the same from you. I have &c.

(Signed) GEO. YONGE.

[Enclosure I.]

[Copy.]

Letter from SIR GEORGE YONGE to MAJOR GENERAL DUNDAS.

GOVERNMENT HOUSE, CAPE TOWN, 11th April 1800.

SIR;—It is with the greatest concern that I find myself again compelled very unwillingly to renew the discussion which I have so much wished to avoid; but after I had returned an answer to your letter of yesterday I became at last informed of the contents of the Order you had been pleased to publish; and if I was surprised at the contents of your letter judge what I must feel at reading that Order. Nor can I conceive how you could ever have been induced to publish such a thing at all without any reason whatever assigned or existing for it; still less can I conceive how you could have been brought to do this without my knowledge and without condescending to inform me even of your intention to do it. The Mischief of such a Publication to the Service is evident. The distraction it must occasion in the minds of the people and its tendency to disturb the peace of the Colony are such evils that it is become my duty to resist the effects of it if

possible, and I think it proper to acquaint you that I shall consider it incumbent upon me to take such measures as appear to me most likely to prevent these fatal effects.

But, Sir, allow the firm sentiments of real friendship and esteem, and in performance of my promise pledged to our friend Mr. Dundas before I left England, as well as from an anxious desire for the good of the service to endeavour to calm these ebullitions to prevent that *eclat* which is always the consequence & which must follow if these things are persevered in. To hold publicly out to the Colony that the Customs of the service are broke in upon, and that the established rules of the service are not adhered to, or that material alterations are made with respect to Military jurisdiction under my administration is as little applicable to me as it is applicable to such an assertion, and I will venture to leave it to yourself to determine how strongly I assured you lately of not intending such a thing, and how entirely I wished to repose myself in your care for everything concerning the service; and I can call you as my witness to prove how entirely I have done so. But when not content with this an appeal is made without my knowledge against supposed innovations, and the authority vested in me by the Commission I hold under the King is either held up as a thing not to be regarded or at least to be limited within bounds not prescribed by that Commission nor by any competent authority, then it becomes my official duty to endeavour in the first place to prevent the mischief to the public which must arise from such an attempt and in the next place to support the King's authority as it is entrusted to me, which is thus attempted to be denied, and such steps as appear to me to be necessary for that purpose I certainly shall take.

But allow me now Sir to entreat you calmly to consider the sad effects of all this, what has led to all this I cannot guess. The foolish business alluded to in the papers you sent me which was the first information I had of the matter, I was given to understand as being as little worthy of notice to you as it appeared to me to be. Whoever have advised you to think otherwise were in my opinion neither wise advisers nor kind ones to you, nor friends to the Service which alone suffers in these Contests. Let me entreat you to forbear these Contests. Let us have no other but who shall best serve the publick. In such a contest I will with pleasure be foremost and yield to no man. In every other sort I

have been and will be the last to begin or continue it. Who or what has begun this contest? No ground, no fact is assigned, but a vague assertion, a proof of more inclination for a contest than necessity. All this would signify little, did not the publick Service suffer by it. I would most willingly make any sacrifice for the public good that my duty will warrant. Do you do the same, and let this contest end. Let this foolish Business rest here. I entreat this I assure you more for your sake and the publick than my own. For I am not to learn my duty or how to do it; but the Country will be endangered in its peace if these matters are not composed. If not I can assume to myself the having no disposition to engage in such matters, and here Sir you will allow me to appeal to the whole Army, and to assert that for twelve years that I had the Command of the Army I never experienced any such discussions or sort of altercations with any Officer whatever as I have experienced here during a few months; and it is my pride that upon quitting that situation It was accompanied with the genuine regret of the Service, most unequivocally honorably and disinterestedly testified for a long time after, and never more than from all with whom I had happened to have occasion to have Military transactions, and whom I chanced to meet with last year in Scotland. Whence then does this arise? Can it arise from me? You can best tell the cause of it for I am sure I cannot. Your situation and mine Sir in a Military point of view is neither new nor is it singular or uncommon. It is the same in all the Governments in the Plantations as well as in Ireland, and must ever be so from the nature of the thing. In all these to my knowledge whenever (as it is every where there) the Governor has a Commission as I have (for they are all alike) as Captain General and Commander in Chief, the Lieutenant Governor who generally commands the forces under him, ashore, never thinks of disputing with the Commander in Chief, but constantly repairs to him, discusses with him all Military arrangements, and then issues all Military orders, which in general go through such General Officer, except in very extraordinary cases. Why should it not be so here; why could not you Sir favour me with such communications as you think proper and then issue such Orders as are necessary in the proper form? I believe I may say you know we shall not disagree, and you may depend on my concurrence with your sentiments to the utmost of

my power. I have shewn you this disposition uniformly, I wish to do so still. Why should we not continue to do so? Why gratify those who from whatever motive wish to sow disunion and discord? For my own part I wish the service too well not to do the utmost, not to make even this effort to prevent such an evil. Allow me to say also that I wish you too well not to wish this; and I will own to you that these are the motives which have led me to trouble you with this letter; and I shall be happy if I prevail in spite of any machinations in convincing you of the friendship and esteem as well as anxious desire for the good of the service, which has impelled me to make this one strong effort to put an end to this contest. If I do not succeed I have at least done my duty, I have fulfilled my promise, and I will venture to leave it to your justice to admit the sincerity of the sentiments I have expressed, which will at least continue to be my satisfaction even if I should finally have nothing left but to do my duty, which I must do if compelled to it, in a way as painful to me, as it may be, I fear, disagreeable to you. But I hope and trust that upon reflexion you will join with me in rendering every thing of this sort unnecessary which will give the greatest satisfaction to me whatever disappointment it may be to others who may wish this not to take place. I have &c.

(Signed) GEO. YONGE.

[Enclosure J.]

[Copy.]

Private Letter from MAJOR GENERAL DUNDAS *to*
SIR GEORGE YONGE.

RONDEBOSCH, April 12th 1800.

Before I enter upon the subject of the two letters of yesterday's date, which Your Excellency has done me the honor to write to me I must premise that I am no less concerned than Your Excellency appears to be at the unfortunate discussion which has taken place between us, nor was it (I must assert) without infinite regret that I found myself under the necessity of issuing a Military Order the tenor of which has not met Your Excellency's approbation.

I perfectly concur in opinion with you that any misunderstanding or even an Idea to that effect being prevalent in the Colony may occasion infinite mischief; consequently my duty to the public and His Majesty's Service require every sacrifice on my part in order to do away any such pernicious impression & I shall be willing and ready to submit to any thing consistent with propriety Your Excellency may propose for the attainment of this very desirable end.

My Sentiments of friendship & esteem for Your Excellency are no less powerful and sincere than those you have vouchsafed to express for me, and Your Excellency will allow me to take the liberty to mention what is my unfeigned opinion that provided Your Excellency shall determine to communicate upon all points of military service directly with myself rather than through the agency of others, it is almost impossible any difference should arise between us upon that subject, so as thereby to impede the public service or interrupt that harmony so essentially necessary at the present crisis for the welfare and prosperity of His Majesty's Government of a lately conquered country in this remote quarter of the Globe.

Your Excellency has been pleased to say that no innovations have taken place with respect to the Military arrangements of this Colony and to intimate that no facts have been produced to warrant a difference in opinion regarding them therefore I must take the liberty in my own justification to recal to Your Excellency's remembrance such things as have taken place since your arrival here, which it was not my intention to notice, leaving the approval or disapproval of them to His Majesty or His Ministers, who will ultimately judge of their propriety and expediency.

The particulars to which I allude comprehend almost every military step which has been taken by Your Excellency, but I will enumerate the more striking and prominent features of them.

The appointment of an Officer to the rank of Lieutenant Colonel, another to that of Captain, and one or two more to that of Subaltern Commissions; the appointment of a Barrack Master General with assistants of various descriptions with all the attendant Contingencies of Expence, likewise the measure Your Excellency has adopted of ordering to be charged to the Quarter Master

General the amount of some articles paid during my administration many months before your arrival out of the Colonial Treasury (without paying me even the compliment to say that it was your intention so to do) whereby certain Contingent Expenses of the Expedition to Graaff Reinet must be defrayed by the Extraordinaries of the Army from home instead of by the Colony to which surely they more justly belong; and if added to these circumstances it was found that any one of the Young Gentlemen who have attended Your Excellency from Europe had shewn a tendency to give orders and directions *ad libitum* to the Army upon more than one occasion in Your Excellency's name without taking the trouble to regulate his conduct by the practice of the service or a respect to his Superiors Your Excellency cannot wonder if a man such as a General Officer of His Majesty's Service who has passed his life in the duties and anxieties of his profession, should have conceived that it was necessary to assert the honor of that profession, and his own authority invaded in such a manner as would in a short time have affected the Discipline and subordination of the Army under his command from which he could no longer expect obedience and respect, rendering him at the same time contemptible.

I must repeat that so anxious am I to put an end to any appearance of a dispute with Your Excellency, and to coincide on all points of Public Duty that there is no effort I would not make, no sacrifice to which I would not submit, and no pains I would not take to accomplish this purpose, but until such time as I am satisfied that I shall be able hereafter to carry on my duty without meeting interruption or disgust, it will be impossible for me to suggest any mode of removing the unhappy misunderstanding or obtaining an accommodation with Your Excellency upon this occasion.

Your Excellency has declared that you are apprehensive that the steps you intend to take will prove disagreeable to me but I must confess I know not what can take place to render the discussion more unsatisfactory than it has already been.

The letter which Your Excellency has condescended to write to me in your own hand is couched in terms of such liberality and politeness that I must reiterate once more the very favorable sentiments I entertain for Your Excellency's person and character.

Were it necessary to trouble Your Excellency with a reply to every minute circumstance contained in your letters before mentioned, I might state to you the difference between the situation of His Royal Highness the Duke of York and the late Lord Amherst; the one being appointed Commander in Chief by a Commission under the Great Seal, the other having been merely the Senior Officer and a General on the Staff under His Majesty's own immediate directions with a limited and partial authority.

As you have intimated a suspicion that by the machinations of others my conduct has been influenced, I am entitled to assure Your Excellency that I have lived long enough to have learnt how to guard against any such attempts and the necessity of not seeking advice, which generally ends in bad counsel, and if I have erred in the discharge of my duty upon any occasion my motives have been pure even when my measures have been such as not to meet Your Excellency's approbation.

I will conclude by saying that I am and ever have been at all times ready to discuss with Your Excellency by waiting upon you in person or otherwise as you think proper Military subjects having a full sense of the superiority of your Rank and situation here, and I must add that though you have hinted an inclination shewn by me to commence an ill grounded contest, yet during the administration of Your Excellency's predecessors this unworthy charge was never made against me, nor this supposed propensity ever shewn.

I am ashamed thus long to have occupied Your Excellency's attention, nevertheless let me crave one moment longer in order to suggest that should it be unhappily found impossible to adjust the present difference respecting the Military forms to be observed here that a reference upon the subject be made home allowing the Customs of the Garrison to continue in force instead of making any violent attempts to bring the matter in any other mode to conclusion. I beg Your Excellency will believe that I remain with the greatest respect &c.

(Signed) FRANCIS DUNDAS.

[Enclosure K.]

[Copy.]

Letter from SIR GEORGE YONGE to MAJOR GENERAL DUNDAS.

CAPE TOWN, April 13th 1800.

SIR,—I am honored with your letter of yesterday's date, and you may be assured that I am disposed to meet you halfway in endeavouring to effect an amicable termination of the business it relates to, nor can I describe the satisfaction I feel at learning from you the sentiments you now express and which I have earnestly wished for and I rejoice in the hope of effecting an object so essential to the public welfare.

It is therefore only to shorten the business that I now proceed to touch Point by Point on the grounds now stated for the first time as the prominent features of what has made you conceive you had any reason to complain, but before I do this allow me to say what I think you will not deny that if I chose to complain (which I do not) I have myself at least this ground of complaint, that all the matters now brought forward took place some of them before your return from the Interior and all of them a long time ago as I conceive and yet you never have had the goodness to say anything about them not even for the purpose of an explanation though you never could have doubted for a moment of my listening to anything coming from you with all possible attention, suffering all these matters to remain in your mind; this is a circumstance which has proved mischievous, and it is so unnatural a thing that you will excuse my saying that I cannot help almost thinking that those matters have not always been viewed by you in the light they now seem to be, because I think you are too just in that case not to have stated them then, as you find it right to do so now.

First then as to the appointment of an Officer to be Lieutenant Colonel by which I presume you allude to Lt. Col. Cockburn. To this though I conceive Government to be the proper judge of this measure I will just say that I did it in the idea of a Brevet rank attached to the appointment of Barrack Master General, which I conceive to be perfectly regular, though I will just add that as to him personally it is nothing for he is probably by this time a Lieutenant Colonel without Brevet.

As to the appointment itself of the Barrack Office the whole service called for it, and the happy effects of it to the Soldiery are already evident and prove how much it was wanted nor can it I think be possible for any Body to be of a different opinion; and I confess I wish much to hear any objection to it. But this too rests with Government at home, and here it is necessary to state that as I was the first that established the Barrack Office at home I am able to explain to you that the Office though attached to the Service of Troops is of a Civil nature and is attached to the Civil branch of the War Office subject to the Treasury, and that the establishment was settled by me with Mr. Pitt that the assistant officers of the Department are not only Military but also Civil persons and so are all the inferior Deputy Barrack Masters though I did myself and Mr. Wyndham still does prefer persons who either are on half pay or have been in the service, and partly because their knowledge of the rules of the Service is useful in the discharge of their duty. This therefore is not a Military appointment and therefore as I conceive does not come under the description you give of the military steps that were to be complained of.

This is also the case with the next point, namely the transferring certain Military expenses from one account to the other which is certainly not a Military matter, but as you here complain that you did not hear anything of it from me, I will briefly state the reason, though as to the measure itself fully competent to judge of it. But it so happened, First, that you were absent and your Return uncertain. Next that Mr. Ross was going to England and the accounts were about to be closed; but there was another Reason why the mentioning it to you did not appear necessary, namely that on consulting Mr. Ross about it, and desiring to know if there would be any official inconvenience or objection to such a measure, he assured me there would be none at all—That on the contrary I was perfectly right so to do, and it was perfectly well understood, that whatever Charges respecting Military Services had been paid out of the Colonial Funds were to be regarded only as advances made by those Funds to be repaid by the Military Fund, and indeed otherwise there would be a Fallacy in the accounts, and the whole of the Military Expenses would never properly appear. Can this be reckoned anything like reflecting on your Conduct? The payments you had ordered were irrevocably paid and no question could arise about them, and as far as relates to any such

orders, therefore it must be a matter of indifference, and for the rest the persons most conversant in these matters concurred in opinion that though (and it will always happen) Military Charges may in the first instance come on the Colonial funds yet they could only be considered as advances made by those funds for the public Service to be repaid in the manner I have described when the accounts came to be closed and settled, and this I trust is a sufficient explanation of this point.

I come now to the next which indeed I should have come to before, I mean the appointment of certain Subaltern Officers to certain Commissions by which I presume you mean the recommendation to the commissions on the vacancies which then existed, and of the propriety of these Government will be judge, yet I will say, First that they were unavoidably sent home at that time, because the Returns were obliged to be sent and the vacancies reported by the Packet which was then about to sail. Next that you were then up the Country and not likely to return. Notwithstanding which I did communicate by letter those recommendations, and my Reasons for them, and that your answer expressed no dissatisfaction at all upon them. Nay that I wrote twice to you on the subject, that I kept the Packet ten days, which till the last moment, and till you at last wrote me word you desired it might wait no longer, and that you had nothing further to say nor to send.

I come now to the next point, namely the misconduct of one of my *suite*. To which Business I have been till this moment a stranger, and upon which I will only say that I cannot conceive by what rule of Justice this can apply personally to me. Therefore I shall merely say that whenever this happened, if I had known it, or you had been pleased to let me know it, this would have saved you the trouble of stating it now. It will certainly become the person concerned to vindicate himself, and I take for granted he will desire leave to do so. You will therefore be pleased to state the instance or instances of misconduct, and how they are of a military nature if they are so.

Having now gone through what has been the most disagreeable part of what I thought it incumbent on me to say, It remains for me to say what is the most pleasing, and to declare to you that both my natural disposition and my duty lead me to assure you I am ready to meet you halfway in considering of the best means of

putting an end to this business, rejoicing to perceive my efforts to produce this disposition in you have not been ineffectual, and I shall be glad to see you any day to discuss the matter and the sooner the better.

You are pleased now to state not only your disposition to do this but have suggested one means of effecting it namely that I should determine to communicate as much as possible on all military matters with you alone, without the intervention of any other. To this in the first I fully assent, and I have only to observe that I have ever done so and wished to do so, of course I can have no objection to the doing so still.

This indeed is the leading measure which secures all the rest, and therefore as this is all that you suggest at present I will at once act upon this principle as a proof of my readiness to adopt it, and communicate to you at once what appears to me necessary to settle this Business.

First as you wish me to communicate with yourself alone on all military matters, that in return you will yourself do the same to me. The want of your observing this rule which you now recommend has been the cause of all this mischief. For allow me to say if you had observed this you would never have issued such a General Order without my knowledge. I am unwilling to dwell much on this Order, because I wish an end to the business, and to put a stop to the distraction of the public mind occasioned by it. But just allow me to ask you for a moment to change places and fairly to say what you would have done before this time had I been in your place and issued such an order and you had been in my place? I will say no more. I wish you to consider it. I wish you to suggest what may be done, which must any rate be prevented. The Order cannot stand as it is, means must be found to correct its tendency. I will consider coolly myself how this may be effected, and we will discuss it together. I cannot say more to shew my friendly disposition. But something *must* be done.

The next thing I would propose to agree upon is that no General Orders be issued in future without my knowledge. This is I believe consistent with the invariable rule of the Service and the practice of my predecessors. But at any rate it is essential to that good understanding which I am happy you now wish and recommend.

This is all that occurs to me at present, the rest will be a sub-

ject of discussion when we meet, and I will conclude with saying that the sooner we meet for the purpose of this discussion the better, you have only to name your day.

I have troubled you with a long letter but as it may tend to shorten our conference it will not I hope be regarded as mere trouble or loss of time. I will add no more but hope you are convinced of what I should be sorry if you ever doubted namely the unfeigned regard with which I have &c.

(Signed) GEO. YONGE.

[Enclosure L.]

[Copy.]

Letter from CAPTAIN TUCKER to MAJOR GENERAL DUNDAS.

GOVERNMENT HOUSE, April 13th 1800.

SIR,—I am extremely concerned to find by your letter to His Excellency the Governor and Commander in Chief, and subsequent declaration that my conduct had occasioned your Order of the 10th Instant. I must beg leave in the first place to declare to you that I have too high a regard for military discipline & subordination ever to be *intentionally* wanting in Military Etiquette, and secondly to request that you will be pleased to order a Court Martial to assemble to investigate my conduct as the charges against me appear of a very serious nature. I have &c.

(Signed) JOHN G. P. TUCKER.

[Enclosure M.]

[Copy.]

Letter from LIEUTENANT SMYTH to CAPTAIN TUCKER.

RONDEBOSCH, April 14th 1800.

SIR,—I am directed by Major General Dundas in reply to your note of this morning to inform you that as he does not consider you as an Officer of the Garrison under his command it is not in his power to comply with your request by ordering a general Court Martial to investigate your conduct.

The Major General desires me to acknowledge that he stated in a private letter to His Excellency the Governor & likewise in a confidential interview this morning your indiscretion upon a late occasion and it must rest with His Excellency to determine the degree of criminality attached to it. I am &c.

(Signed) J. C. SMYTH, A.D.C.

[Enclosure N.]

[Copy.]

Letter from CAPTAIN TUCKER to SIR GEORGE YONGE.

CAPE TOWN, CAPE OF GOOD HOPE, *April 15th 1800.*

SIR,—I beg leave to inform Your Excellency that in consequence of Major General Dundas's declaration that the Order issued by him on the 10th Instant was solely levelled at me as well as the impeachment contained in his letter to Your Excellency of disrespect to my superior Officers, I addressed a letter to the Major General expressive of my extreme concern at an accusation so foreign to my principles of Discipline, Subordination and Military Etiquette, & so destructive to my Character as a Military Man, and requested that he would be pleased to order a Court Martial to assemble in order to investigate my conduct to which I have received the reply which I do myself the honor to enclose for Your Excellency's perusal, and request that Your Excellency will be pleased to cause such investigation to be made into this affair as may appear most proper to rescue my Character from the Stigma such an impeachment may publicly occasion. I have, &c.

(Signed) JOHN G. P. TUCKER.

[Enclosure O.]

[Copy.]

Letter from SIR GEORGE YONGE to MAJOR GENERAL DUNDAS.

CAPE TOWN, *April 15th 1800.*

SIR,—By the enclosed letter from Captain Tucker I find he has applied to you for a Court Martial on his conduct, and by

your answer which he has sent me it appears to you that he cannot be so tried, and you leave me to judge of the Criminality of his conduct.

This conduct as represented to me by you certainly appears criminal and ought to be investigated, nor as he is on the Military Staff does any difficulty occur to the doing it. But it will not be possible to do so till a proper and clear specification of the Offence is delivered in which it must rest with you to furnish if you think it should be proceeded on, and it is due to him that it should be so as he demands it. I have &c.

(Signed) GEO. YONGE.

[Enclosure P.]

[Copy.]

General Orders by His Excellency the Governor and Commander in Chief.

CAPE TOWN, 15th April 1800.

Since the issuing the General Order of the 10th of April It has been fully explained to His Excellency the Governor & Commander in Chief that the object of it was to correct certain Instances of Neglect of the Rules of the Service and of Disrespect to Superior Officers. But as for want of sufficient communication the same may not have been properly understood, and doubts may have arisen as to the real object, and it is become necessary to prevent such inconvenience in future, and it is hereby ordered by His Excellency the Governor & Commander in Chief that whenever any General Orders (excepting such as relate to the ordinary routine of duty and such military matters as have been usual) are directed to be issued, not proceeding from His Excellency himself, the Adjutant General or other proper Officer to whom it belongs shall lay the same before His Excellency previous to their being issued or published, and His Excellency thinks proper to signify His displeasure at all instances of neglect of the Rules of the Service, or of disrespect to Superior Officers, and his determination is to punish the same whenever they can be properly investigated and proved.

[Original.]

Letter from SIR GEORGE YONGE *to the* RIGHT HONOURABLE
HENRY DUNDAS.

GOVERNMENT HOUSE, CAPE TOWN, *May 12, 1800.*

SIR,—I avail myself of the Opportunity of Major Davies, one of Lord Mornington's Aid de Camps who is going to England with Dispatches, His Ship having been forced into Simon's Bay by Stress of Weather, to send you this Dispatch and to acquaint you that every thing remains peaceable and flourishing here. Nothing new has occurred since my last, except that I have availed myself of the settled and quiet State of the Country, and have just now ordered the State Prisoners which have been so long confined in the Castle, to be prosecuted for High Treason and try'd by the Criminal Court of Justice here according to the Laws of their Country, A mode of proceeding which I have thought preferable to the Exercise of any Authority vested in Government, as being more consonant both to the Forms and Principles of Public Justice.

There are twenty Prisoners to be try'd most of them notorious Offenders, persevering in their Practices, though frequently pardoned, and at length taken with Arms in their Hands. Their Process is begun, and from the nature of Legal Proceedings must last for some time, as there is such a Number of them to be try'd. It will be an arduous Business but I have every Relyance on the Zeal and Abilities of the Fiscal. I have now only to express the great Comfort with which we have at last received the undoubted Intelligence by the Arrival of the *Surat Castle* having on board the 22 of Foot and by two Whalers which are just arrived, of the long wished for Convoy for this Place being not only set out but probably at this moment approached very near to us. They were left by the Whalers at St. Jago on the 21st March. The Convoy had been dispersed by a Gale of Wind off Cape Finisterre, but were rendezvous'd again partly at St. Jago and partly at Madeira, and were to proceed from thence directly to this Place, so that we may expect their arrival about the End of this Month at farthest. Every preparation is making to receive them and I will venture to say that the establishment of the Barrack Office, and the accommodations already compleated at

the Barracks will not only produce the greatest Comforts imaginable to the Troops on their Arrival, but probably save the lives of many of them. Indeed the Soldiery already here begin to feel very sensibly the good effects of the Institution, and I conceive these effects will be much more sensibly felt by the Troops arriving after a long and tedious Sea Voyage, nor will any Care be wanting for their Health and Preservation on their Arrival.

I have, &c.

(Signed) GEO. YONGE.

P.S. It is just now reported to me that the Troops on board the *Surat Castle* are arrived very sickly, several having died owing to an unparalleled Neglect of the common Rules and attention to Health and Cleanliness during the Voyage the *Ship itself ill found* & worse equipped. She parted with the Convoy in the Chops of the Channel, and never saw them afterwards.

[Original.]

Private Letter from SIR GEORGE YONGE *to the* RIGHT HONOURABLE HENRY DUNDAS.

CAPE TOWN, GOVERNMENT HOUSE, May 12th 1800.

DEAR SIR,—It is with very great Concern that I find myself obliged to trouble you with the enclosed papers, and to acquaint you that I have been forced to suspend Mr. Jessup from his Office of Chief Searcher of the Customs at this place, as not fit to hold that, or any other Situation under Government in this Colony: having by his Conduct rendered this measure unavoidable and fulfill'd the Prophecy of Lord Macartney, that his Virtues would one day or other meet with their Reward, I believe Lord Macartney will remember the expression, and the occasion. I have granted him Permission to go to England to vindicate himself If he chuses it, or to remain here to await the Decision of Government, I do not yet know which he will chuse.

I have also been obliged to send out of the Colony two other

Persons his Aiders and Abettors, of whom besides their share in this Business all I know is that the one, Mr. Mosse, as I am informed is a Man of Genius many ways, Having at first been, and still being an Irish Clergyman, with a Living there, and it is said also a Roman Catholick and a Priest, but having rather too strong a Taste for Horse Racing, and other expensive Amusements, was obliged to quit Ireland, and thought it advisable also to come here, where he met again with the Delight of the Turf, but at the same time found out a Livelihood by becoming Keeper of a Coffee House, and Billiard Table, then having got appointed a Clerk in the Secretary's Office, He at last took to the Profession of the Law, in which he has ever since practiced in the Admiralty Court, where I am sorry to say there is a very great want of able Counsel, But it seems all these means of Livelihood have not been adequate to his Expences, for I understand now, that on settling his Accounts previous to his Departure, He appears to be not worth £5 in the World. He came here I believe without a Pass.

The other Gentleman's Share in the Transaction will appear in the enclosed Papers. I know very little of him. He too has practiced here as a Lawyer in the Admiralty Court. I perceive by His Pass that Government chose to take Security for his Conduct. Those who know any thing of him here, do not speak very favorably of him, and a Person to whom He was recommended has refused to see him. If what has been reported to me concerning him is true I believe he has practiced as a Lawyer in England, but has also been conversant with the Corresponding Society and that of Chalk Farm.

This is all I know of these Gentlemen, and I have now only to say that it is utterly impossible that any of these should be allowed any more to be in this Colony.

I have to add, that I have thought it proper not to fill up the Office of Chief Searcher but directed a Person to act *pro Tempore* without any appointment, leaving it to the Treasury to fill up the Vacancy, and I have only to hope that a Person of Character and Experience will be sent out to fill the Office, which is of some Importance to the Revenue. I know of Nobody here equal to the Situation. I hope I may now be allowed to conclude with expressing a wish that some little attention may be paid to the granting of Passes to Persons desiring to come here, and that some

account may be sent with them of their Characters and Situation. Some Passes come from the Duke of Portlands Office, some from yours, Nobody knows how they are obtained, and no account is received of the grounds on which they are granted. Of good and industrious Inhabitants we cannot have too many. Of Idle and unprincipled ones we cannot have too few. I have &c.,

(Signed) GEO. YONGE.

[Enclosure 1 in the above.]

[Copy.]

To His Excellency MAJOR GENERAL DUNDAS in the name of His Britannic Majesty Governor of the Cape of Good Hope and its Dependencies, &c., &c., &c.

Your Memorialists Samuel Traugot Gruttner and Henry Horne-man, Supercargoes of the Danish Ship *Christianus Septimus*, Humbly shew That In the Month of May 1798 the Danish Ship *Christianus Septimus* arrived in Simon's Bay from Batavia, and from the damages she had received at Sea and her excessive leaky state (having had between five and six feet water in her hold) she has been found irreparable at this Port, and altogether incapable of being sent to Sea; soon after her arrival she was seized upon by the Squadron of Ships under the Command of Admiral Sir Hugh Christian then lying in Simon's Bay, & has been proceeded against here in the Vice Admiralty Court. After the cause had been eleven months before that Court the Ship and a considerable part of the Cargo has been decreed Restoration, and the rest of the Cargo put off for further proof. From the original Damage the Ship has received and the great quantity of Cargo (being Sugar and Coffee) that must have been lost and melted away, there would have been a necessity for selling the Cargo and the Ship, and there being now a great part of the Cargo reserved in the Vice Admiralty Court twelve months for further Proof, the Cargo being in its nature perishable, and so much of it already damaged, there is now no alternative left us but either the loss of the Property or the Permission of this Government to sell it for Exportation to Denmark, the place of its original Destination.

Your Memorialists therefore request that Your Excellency will

grant leave to sell and transship that part of this Ship's Cargo which has been restored by the Vice Admiralty Court.

CAPE OF GOOD HOPE, 29th May, 1799.

(Signed) S. T. GRUTTNER,
H. HORNEMAN.

[Enclosure 2 in the above.]

[Copy.]

Letter from MR. JOHN PRINGLE to MAJOR GENERAL
DUNDAS.

SIR,—I have received the Letter you did me the Honour to transmit to me Yesterday, enclosing a Memorial from the Supra Cargoes of the Danish Ship *Christianus Septimus*, wherein they state the Circumstances under which she has so long been detained in the Vice Admiralty Court, the perishable nature of the Cargo, and that the Hull is condemned as not being seaworthy, therefore praying Permission to sell the Cargo that has been restored by a Decree of the Court, for Exportation to Denmark, its Original Destination.

My Opinion which you require on the above Case is, that the Prayer of the Petitioners may be complied with, under proper security that the Articles sold shall be exported *bona fide* to Denmark. I have &c.

(Signed) JOHN PRINGLE,
Agent to the Hon. E. I. Company.

CAPE TOWN, 1st June, 1799.

[Enclosure 3 in the above.]

[Copy.]

Letter from DEPUTY SECRETARY ROSS to JOHN HOOKE GREENE, ESQ., Collector of the Customs, and A. MAXWELL, ESQ., Comptroller of Customs.

CASTLE OF GOOD HOPE, 5th June 1799.

GENTLEMEN,—I have it in command from His Honor the Lieutenant Governor to communicate to you that the Super Cargoes of the Danish Ship *Christianus Septimus* have applied for

permission to hold a public Sale of that part of the Cargo which has been decreed in the Vice Admiralty Court to be restored, chiefly consisting of Sugar and Coffee, as you will more particularly see by the enclosed Memorial from the said Super Cargoes; which after perusal you may please to return to this Office. I am to add that His Honor the Lieut. Governor grants the prayer of the Memorialists, upon Condition that good and sufficient security shall be given for the actual exportation to Denmark of such part of the Cargo of the *Christianus Septimus* as shall be sold, and you are referred to the Super Cargoes and to their Agent Mr. Tennant for further information upon this subject. I am &c.

(Signed) H. Ross.

[Enclosure 4 in the above.]

[Copy.]

Extract from the Day Book of the Secretary's Office.

June 12th 1799.—The Super Cargoes of the Danish Ship *Christianus Septimus* having represented that a part of that Ship's Cargo, chiefly consisting of Sugar, Coffee, and Arrack had been released from detention by the Admiralty Court, but that the perishable state of a great part of these goods rendered it necessary to hold a public Sale thereof on account of the Underwriters; and they engage that the whole shall be immediately transhipped to the original place of its destination, or sold for re-exportation. These Super Cargoes pray that as there never was an intention of importing this Cargo, and that distress now compels their being taken out of the *Christianus Septimus*, that the transfer may not be liable to import or export duty, as these Goods will already be liable to a duty of 5 per cent on the public sale. In consequence of their Memorial, His Honor the Lieut. Governor desired the parties applying and the Collector of Customs this day to meet him in the Secretary's office; when after hearing the parties it was determined from the particular situation of these Goods, that such part of them as was sold and transhipped should not be liable to import duty, but that such parts as are landed must pay duty, and Security be given for re-exportation.

[Enclosure 5 in the above.]

Letter from MAJOR GENERAL DUNDAS to the Collector and the Comptroller of the Customs.

CASTLE OF GOOD HOPE, 13th June 1799.

GENTLEMEN,—The Super Cargoes of the Danish Ship *Christianus Septimus* having represented that a part of that Ship's Cargo, chiefly consisting of Sugar, Coffee, and Arrack, had been released from detention by the Vice Admiralty Court; and that the Perishable State of a great part of those Goods rendered it necessary immediately to hold a public Sale thereof; I have permitted them to hold the Sale upon the following conditions. That the whole of the afore stated property shall be publicly Sold for exportation to the place of its original destination; and that such part thereof as shall be transhipped from the *Christianus Septimus* to such Vessel as shall proceed therewith to the place of its original Destination shall, agreeable to the prayer of the Super Cargoes, not be subject to any import or export duty; but if any part thereof shall be landed, such Goods shall be liable to pay duty, and security shall be given that they shall be re-exported hereafter.

The particular circumstances under which the above stated goods have been obliged to be transferred from the *Christianus Septimus*, and which have been explained to you, have induced me to exempt them from duty (other than that of the Public Sale), but as I have in this instance acted according to apparent equity, without precise information of the determination of the law upon this case, I am to desire that it may not be considered a precedent for the future should similar applications ever occur again, before which time I hope you will obtain more precise information of the Regulations of Customs in such Cases. I am &c.

(Signed) FRANCIS DUNDAS.

[Enclosure 6 in the above.]

Letter from MR. ALEXANDER TENNANT to MAJOR GENERAL DUNDAS.

CAPE TOWN, 10th July 1799.

SIR,—In consequence of Permission from Government the greatest Part of the restored Cargo of the Ship *Christianus*

Septimus has been sold, agreeable to the Regulations that have been prescribed; and application has been made to the Collector of His Majesty's Customs to tranship a part thereof; he however insists on a Bond being given, not only for what is to be landed, but likewise for what is transshipped, contrary to the express meaning of your last Instructions to him on this subject.

I therefore request that Your Excellency will desire that your last Orders may be complied with, and that a Bond may be required only for those Goods which may be landed. I have &c.

(Signed) ALEXANDER TENNANT, Agent.

[Enclosure 7 in the above.]

[Copy.]

Extract from the Day Book of the Secretary's Office.

13 July 1799.—A Letter having this day been received from Mr. Alexander Tennant Agent for the Danish Ship *Christianus Septimus* stating that the Collector of His Majesty's Customs has insisted on a Bond being given for that part of the Cargo of the said Ship which has been sold and transhipped contrary to the Instructions given to that effect, the Collector was sent for and it having appeared that there was no grounded reason for the demanding of the Bond Mr. Tennant was allowed to tranship the Goods without giving a Bond.

[Enclosure 8 in the above.]

[Copy.]

Letter from MESSRS. GRUTTNER AND HORNEMAN to
SIR GEORGE YONGE.

CAPE OF GOOD HOPE, 11th February 1800.

SIR,—The Danish Ship *Christianus Septimus* put into this Port in the Month of June 1798 in a very leaky state on her Passage from Batavia to Copenhagen. Immediately on her Arrival here she was seized by a squadron of His Britannic Majesty's ships under the Command of Admiral Christian and brought to Tryal before the Vice Admiralty Court of this Colony.

On the 3rd of May last a very considerable part of her Cargo was restored and has been by the Order of Government sold for Exportation to Denmark only. On the 9th January 1800 the remainder of her Cargo was restored to the Claimants.

As the Ship on her first Arrival here was by survey found not seaworthy and irreparable at this place we were obliged to apply to this Government for leave to sell the part of the Cargo which was first restored. And we are now for the same reason obliged to Pray your Excellency leave to sell the remainder of the Cargo by Public Vendue. And as the peculiarly severe loss sustained by being nearly Two Years detained in an Innocent Cause by His Majesty's Ships of War induced His Excellency General Dundas to remit the Duty on that part of the same Cargo which has already been sold for Exportation, We humbly hope that your Excellency will extend this Remission to the part of the Cargo which is still to be sold for Exportation, and whatever part thereof there may be found Damaged and sold for Consumption subjected to the usual Duty.

The Cargo chiefly consisting of Perishable Articles, Sugar & Coffee, the greatest loss is owing to long Detention, and as the Government receives $3\frac{1}{2}$ per cent on the Public Sale we consider it a very great hardship to pay 10 per cent Duty and notwithstanding restricted to Exportation only. We therefore request that your Excellency will be pleased to allow that part of the Cargo which must be sold and transhipped without Landing for Exportation to pay no Duty and that part which is Damaged and privileged sale for Colonial Consumption pay the usual Duty. We have &c.

(Signed) S. T. GRUTTNER,
H. HORNEMAN.

[Enclosure 9 in the above.]

[Copy.]

Letter from MESSRS. WALKER AND PETERS *to*
SIR GEORGE YONGE.

CAPE TOWN, 17th April 1800.

SIR,—We have the Honor to represent to Your Excellency that we lately purchased for exportation to Great Britain Three Hundred and Sixty-seven Bags of Java Coffee & One Case Gum

Benjamin part of the cargo of the ship *Christianus Septimus* in Simons Town, detained & proceeded against in the Vice Admiralty Court as prize; & have shipt the same on board the ship *Young Nicholas* ready to sail for England accordingly, also three cases Bandannoes part of the cargo of the American ship *Pacific* captured by the French & recaptured by a squadron of His Majesty's ships of War.

We beg leave further to represent to your Excellency that conceiving a certificate from the Court of Vice Admiralty necessary to show that the goods in question had been so proceeded against as prize, we made application for such Certificate to the Judge of that Court who in reply informed us he did not consider himself authorised to grant any such certificate.

Wherefore we humbly pray that Your Excellency may be pleased to grant us permission to have the said goods relanded from on board the *Young Nicholas* in Table Bay & for the present put under the King's Locks, to be exported or disposed of hereafter as Your Excellency may think proper. We have &c.

(Signed) ALEX. WALKER,
JOHN PETERS.

[Enclosure 10 in the above.]

[Copy.]

Letter from MR. BLAKE to MESSRS. WALKER AND PETERS.

GOVERNMENT HOUSE, CAPE TOWN, 17th April 1800.

GENTLEMEN,—I am commanded to acquaint you, in answer to your memorial of this date, that His Excellency the Governor and Commander in Chief has no objection to your relanding the three hundred and sixty-seven Bags of Coffee and one Case of Gum Benjamin, together with three Cases of Bandannoes and three Casks of Tamarinds, shipped on board the *Young Nicholas*, provided the same be put under the King's Locks untill His Excellency's further pleasure is signified thereupon, as stated in your said memorial. I am &c.

(Signed) RICHARD BLAKE, Private Sec.

[Enclosure 11 in the above.]

[Copy.]

Letter from MR. HENRY JESSUP *to* ADVOCATE PETER MOSSE.

CAPE OF GOOD HOPE, *April 16th 1800.*

The Ship *Young Nicholas* partly laden with goods the growth of Batavia, purchased in this Colony, out of the Danish Ship *Christianus Septimus*, for Exportation to England, now lies in this Bay, waiting a fair wind to sail.

Henry James Jessup, Chief Searcher of His Majesty's Customs in this Colony, requests the Opinion and Advice of Mr. Mosse:—

1st. Whether it be lawful to import from Batavia into this Colony, to sell in it for exportation to England, or to Export hence to England, such goods as are above mentioned.

2nd. Is there any Law, or is His Excellency the Governor's late Proclamation of the 3rd of February last, adequate to legalize such Sale and Exportation as is above mentioned.

3rd. What means do you advise Mr. Jessup to resort to, to bring said goods to adjudication if you should be of Opinion that said Sale and Exportation be illegal.

(Signed) H. J. JESSUP.

[Enclosure 12 in the above.]

[Copy.]

Reply of ADVOCATE MOSSE *to* MR. JESSUP.

Answer to the First Question. No goods, wares or Merchandize, the growth or Manufacture of the Countries to the Eastward of the Cape of Good Hope, can be imported into this Settlement or the Territories and dependencies thereof, except by the United Company of Merchants trading to the East Indies, or with their license, except such as are taken and seized as Prize. No Goods, Wares or Merchandize, the growth or Manufacture of the Countries to the Eastward of the Cape of Good Hope, can be permitted to be sold in this Colony or exported thence to Great Britain or any of its dependencies, except for Sea Stores only;—or if *condemned* as

prize, by sentence of a Court of Vice Admiralty, provided a Certificate from and under the Hand and Seal of the Judge of the Court in which such goods shall have been condemned shall be produced to the Collector &c. &c. certifying the *condemnation* thereof;—or by the United Company of Merchants of England trading to the East Indies, or by their Licence.

2nd. I do think, and give it as my Opinion, that there is no law adequate to legalize such Sale and Exportation; As the goods purchased out of the *Christianus Septimus* are certainly the growth or Manufacture of the Countries to the East of the Cape of Good Hope, not having been condemned as prize, nor having the Licence of the United Company of Merchants trading to the East Indies. As to the late Proclamation of His Excellency the Governor dated 3rd February last, It is not possible (I speak with great reverence to his much respected Character & rank) that it could legalize such a Sale and exportation; for the very Act of Parliament which authorizes His Majesty, for a limited time, to make Regulations respecting the Trade and Commerce to and from the Cape of Good Hope, expressly “provides always That nothing therein contained shall in any manner be construed to infringe the rights, privileges and advantages belonging to the United Company of Merchants of England trading to the East Indies.” Need I add that no power can be delegated that is not possessed, and that His Majesty, not being authorized by an Act of the Legislature of England cannot invest a Governor with power to infringe the Rights &c. of the East India Company, or to permit a trade expressly against the intention and meaning of many Acts of the Legislature of England. I beg leave to add that His Majesty declares in his Order of Council of the 28th of December 1796 that it is his pleasure that no such goods shall be permitted to be imported or exported into or out of this Settlement except for Sea Stores, or by the United Company of Merchants trading to the East Indies, or by their Licence.

3rd. The 2nd Section of the 37th Geo. 3rd, Chapter 21st, expressly enacts: “if any goods, Wares or Merchandize shall be so imported or exported in any manner whatever, contrary to any such Order or Orders of His Majesty in Council, the same shall be forfeited, together with the Ship or Vessel in which such goods, wares and Merchandize shall respectively be imported or exported, with all her guns, ammunition, Furniture, Tackle and Apparel.

and every such forfeiture *shall* and may be sued for, prosecuted, and recovered by such and the like ways, means and Methods, as any Forfeiture incurred by any Law respecting the Revenue of Customs may be sued for, prosecuted and recovered, in places where respectively the offences shall be committed; and the produce thereof shall be disposed of, paid and applied in the like manner, any Law, Custom or Usage to the contrary in any wise notwithstanding." Need I here further point out that you should immediately apply with full Informations to the Fiscal, who is the chief Executive Law Officer here, and also the proper Prosecutor in such Cases.

CAPE OF GOOD HOPE, *April 17th*, 1800.

(Signed) PETER MOSSE, Advocate.

[Enclosure 13 in the above.]

[Copy.]

Letter from MR. H. J. JESSUP to the King's Fiscal.

CAPE TOWN, *17th April* 1800.

SIR,—I beg leave to inform you that the Ship *Young Nicholas* has on board a quantity of contraband goods belonging to Merchants of this place. I speak of articles of Merchandize sold out of the *Christianus Septimus* for Colonial use, & now on board the above ship destined for England, contrary to the Chartered rights of the Hon'ble Company of English Merchants trading to the East Indies, & contrary to an express Act of Parliament on that head. I am &c.

(Signed) H. J. JESSUP.

[Enclosure 14 in the above.]

[Copy.]

Letter from MR. H. J. JESSUP to the King's Fiscal.

CAPE TOWN, *18th April* 1800.

SIR,—I have the honor to submit to your consideration the opinion of my Counsel on the subject of my former letter

respecting the detention of the *Young Nicholas*, & I am to request you will take her into your possession immediately & proceed to the adjudication of her & the property on board, subject to legal confiscation in such manner as your wisdom shall direct. I am &c.

(Signed) HENRY J. JESSUP.

[Enclosure 15 in the above.]

[Copy.]

Letter from the Fiscal to MR. H. J. JESSUP.

CAPE TOWN, 18th April 1800.

SIR,—In answer to your two letters of this day & yesterday's date respecting certain goods from on board the Danish Ship *Christianus Septimus* now shipt on board the *Young Nicholas*, I have to inform you that after due examination of the existant laws and proclamations published in this Colony, and being moreover informed that the said goods have been shipped with due permission of Government, I must beg leave to be excused entering into this business in my official capacity.

As it is my duty to regard His Excellency the Governor as the representative of the Sovereign of this Colony, I therefore am bound to take care that his proclamations & orders be duly respected & obeyed. I am &c.

(Signed) W. S. VAN RYNEVELD, Fiscal.

[Enclosure 16 in the above.]

[Original.]

Letter from MR. JESSUP to the Collector and the Comptroller of Customs.

CAPE TOWN, 19th April 1800.

GENTLEMEN,—I have just seen your permit of this date, in favour of Walker Robertson & Co. to land from on board the Ship *Young Nicholas* Certain Goods under my previous Seizure as prohibited Goods, being the growth or manufacture of Countries

to the Eastward of the Cape of Good Hope, not having the Licence of the Company of English Merchants Trading to the East Indies, nor having been *condemned* as prize. I have therefore given orders to the Officers of my Department to resist the landing of all such Goods from on board the above Ship, till the same be ordered by due course of Law. I am &c.

(Signed) HENRY J. JESSUP.

[Enclosure 17 in the above.]

[Original.]

Deposition of MR. J. HOUGHTON to SIR GEORGE YONGE.

John Houghton, a merchant, living at Cape Town Personally appeared before me on the 20th April and voluntarily deposes That on Saturday last the morning after the Seizure of the Goods on Board the *Young Nicholas* was made by Jessup, He mett with Mr. Ponterdant of the Vice Admiralty Court, when Discoursing on that Seizure and Stating that the Deponent was Interested in the Property, & requesting his Opinion what was best to be done in the Case, He recommended the making It up with Mr. Jessup, which he declined. On that Noon hearing the goods were landing He went down to the Wharf and learnt the Goods were detained by a Guard by Mr. Jessups Order—coming off the Wharf He met Mr. Ponterdant Mr. Rex the Marshall of the Admiralty and Mr. Payne the Master attendant. The two latter went away. Mr. Ponterdant returned with the Deponent and as they were returning, He said the Cargo would not be permitted to be Landed & It was a fine Seizure for Jessup. The Deponent not agreeing & saying he Confided in Governments Justice—on which Ponterdant said you may think as you Please I advise your making it up with Jessup that was the only means by which (illegible) intimating that he knew his Sentiments and had every reason to believe Such a Measure would be effectual for the relief of the Parties Concerned to which the Deponent declared He never would do It, for he thought Mr. Jessup was wrong and Premature in what He had done. The Deponent looked upon Mr. Ponterdant as the Organ in his opinion & Judgement of Mr. Jessups Sentiments from their

Close Connexion and Intimacy and understanding that Mr. Jessup acted much by Mr. Ponterdants Advice.

Deposed before me. Cape Town April 20, 1800.

(Signed) GEO. YONGE.

I declare that the Contents are the Truth.

(Signed) JNO. HOUGHTON.

[Enclosure 18 in the above.]

[Original.]

Deposition of MR. J. HOUGHTON to the Fiscal.

Sunday Evening, 20 April 1800.

On coming away from his Excellency the Governor it immediately occurred to me after what had past relative to Mr. P. to call upon him, when perhaps he might speak more plainly and fully than he had done before in respect to the Seizure made by Jessup in which I was not deceived for the Moment I entered the Room, before I had time to take a Seat, he immediately entered upon the Subject, advising me by all Means to settle the matter with Jessup, adding at the same it never would be a dollar in his way, but that he was convinced what Jessup had done was right, so much so that if he would give it up to him, he would give him £500 and that he knew the Opinions of all the Gentlemen of the Law in this Colony, in respect to it, that Mr. Holland, Mr. Witte-noon, Mr. Rex & himself had but one Opinion, he therefore still advised the making it up; I asked him by what Means that might be done, he told me by applying to Jessup, who having made the Seizure had a right to a third of the property, I then desired him to inform me on what terms he thought it practicable, he said he supposed by giving Jessup Sixty or Seventy pounds each of us, that being the only way, to be sure we might commence an Action against the Governor, but it would be a long time before we could obtain redress.

(Signed) JNO. HOUGHTON.

Sworn before me.

(Signed) W. S. VAN RYNEVELD, Fiscal.

[Enclosure 19 in the above.]

[Copy.]

Letter from MR. JOHN HOOKE GREENE to MR. HENRY
JAMES JESSUP.

CAPE TOWN, 20th April 1800.

SIR,—It was late last night when I received your Letter addressed to myself and the Comptroller, in which you say “You have seen our Permit &c.” The first remark I have to make upon this extraordinary communication is: That you have been guilty of a great breach of your Duty and of common propriety by neglecting to inform me in an *official and regular manner*, rather than in this *incidental way* of your having made such a Seizure. As this is a transaction which I conceive must be followed by very serious consequences, I shall take the liberty of examining into and giving my sentiments upon your conduct a little at length.

By a Proclamation of His Excellency Sir George Yonge, dated 3rd February last, declared to be issued for the express purpose of regulating (until His Majesty’s Pleasure should be known) the disposal of the Cargoes of Ships or Vessels detained or captured as Prize and brought into the ports of this Settlement for adjudication, and for relieving the Captors, Owners or other persons interested in such Cargoes from the great difficulties and Hardships they laboured under for want of some such regulation, particularly when such Cargoes consisted of Goods the Growth, Produce or Manufacture of India, Provision was made for the Exportation to England, under certain regulations, of such Goods, whether condemned as Prize or restored to the Owners or Claimants thereof. Under the provisions of this Law part of the restored Cargo of the Danish Ship the *Christianus Septimus* has been shipped in an open, fair, and regular way on board the *Young Nicholas*, for the purpose of being exported to England, and this indulgence the Governor was induced to give from the circumstance of the *Christianus Septimus* being not seaworthy, and from other Circumstances of peculiar Hardship upon the Owners of such Goods.

Now Sir, will you allow me to say That if upon the Publication of the Proclamation alluded to, any doubt or difficulty arose in

your mind as to its validity, expediency, or propriety, it would have shewn a becoming and praiseworthy attention to your Duty to have stated such doubt or difficulty, either to the Superiors of your Department or to the Governor himself. Instead of this plain, obvious, open and upright Path, you thought proper to determine on a Conduct the very reverse. With a conviction, as it should seem, on your mind, that the provisions made by His Excellency were not consonant to Law, you lay watching with the most insidious Policy an opportunity how to make the circumstance turn out to your own private emolument, and Govern'd I believe by such sinister views, you have thought proper to seize on the restored Goods, laden on the *Young Nicholas*, and these Goods are the property of innocent individuals, shipped regularly and openly, under the special sanction of this Government and agreeably to the regulations of a declared Law. Is this Sir, a conduct becoming an Officer, placed in a most reputable situation under the Crown, whose chief aim it ought to be to assist as much as possible the Views of that Government which gives him Bread, and to give every possible facility in his Department to the transactions & operations of the fair and upright Merchant?

The preceding remarks will apply, supposing your conduct to have been regulated by the *Strict Letter of the Law*, as I only mean to convey to you my opinion of the Degree of Moral Turpitude attending the action you have been guilty of. But Sir, my opinion is, That you are *not warranted by the Law* in the seizure you have thought proper to make. I again repeat that the Goods in question have been regularly shipped under the sanction of a declared Law of this Colony, and are therefore certainly not seizable here, whatever they might have been upon their arrival in England. But I will suppose for a moment the exportation of the Goods in question from this Colony to be illegal—even in *that case* the seizure you have made is premature; for it is held to be Law that an *intention to break* is not a *breach of Law*, or is punishable as such, and for this very good reason, That a Party intending to break a Law may change his opinion before he has compleated his intention, and it happens to be precisely the case on the present occasion—That the parties who have shipped these restored Goods, from some apprehensions (I believe needless ones) of meeting difficulty in the landing them in England, have applied to the Governor for, and obtained leave

to reland the Goods under the King's Locks. But supposing the Goods to have remained on board the Ship, the intention of exporting them is not compleatly fulfilled until the Ship has taken her Clearance from the Custom House, and any seizure previously made I believe to be illegal, except it could be proved that the Goods were clandestinely put on board. Upon the whole Sir, I am decidedly of opinion that your conduct upon this occasion is not justifiable upon any one principle of Law, Reason, Decency, or common Sense, and appears to me altogether one of the most extraordinary instances of Ignorance and presumption I ever witnessed. You say you have given orders to the officers of what you term *your Department* to resist the relanding the Goods from the *Young Nicholas*. In order that the Ship may not be delayed in her operations one Hour at this dangerous season of the year, and in compliance with the orders I have received for relanding the Goods, I shall take upon myself Sir, instantly to countermand the very unwarrantable directions you have given. I shall immediately lay before His Excellency the Governor your Letter, together with my answer thereto, and request his directions for my further proceedings.

As the Comptroller is not in Town to-day, I have had no opportunity of taking his sentiments on your Letter. I am &c.

(Signed) JOHN HOOKE GREENE,
Collector of Customs.

[Enclosure 20 in the above.]

[Original.]

Letter from MR. JOHN HOOKE GREENE to SIR GEORGE YONGE.

CAPE TOWN, 20 April 1800.

SIR,—I have the Honour of inclosing to your Excellency a Letter I have received from Mr. Jessup, together with a Copy of the Answer I have written thereto, which I hope will be sanctioned by your Excellency's approbation, and that you will be pleased to furnish me with such Directions as you may think necessary for my further Proceedings upon this extraordinary occasion.

I have &c.

(Signed) JOHN HOOKE GREENE.

[Enclosure 21 in the above.]

[Copy.]

Letter from MR. W. S. VAN RYNEVELD to SIR GEORGE YONGE.

CAPE OF GOOD HOPE, April 21st 1800.

SIR,—As soon as my Duty this day in the Court of Justice allowed me a moment, I maturely examined and considered the statement Your Excellency did me the honor yesterday to transmit to me respecting the occurrence relative to the Cargo of the Danish Ship *Christianus Septimus* now partly laden on board the *Young Nicholas*, and the conduct of Mr. Jessup Chief Searcher of His Majesty's Customs and Mr. Mosse his Counsel.

Prior to my proceeding to answer the question which your Excellency has been pleased to put to me, I beg leave to advert to the two Letters from the said Chief Searcher, dated 17th and 18th Instant hereunto subjoined, accompanied with my answer thereto. Considering it extremely presumptuous and improper at all to enter into any the least discussion as to the competency or incompetency of Your Excellency as Governor & Commander in Chief to make in this Colony such Laws and Regulations as Your Excellency may think expedient, this being a point that admits not even of the shadow of a Doubt cannot possibly be subjected to any discussion, I shall have the honor only to observe in the present case—

That as the legal authority of the Sovereign of this Colony is at present vested in no other Person but Your Excellency, and as Your Excellency's Commission has been publicly read to the People with all due Solemnity, any wilful disobedience or opposition against your commands, either by Burghers or Officers, are therefore Crimes of a Serious Nature, which by virtue of the positive authority vested in Your Excellency are to be punished, according to circumstances, either by sending the Delinquents out of the Colony according to the tenor of Your Excellency's Commission, or in case of their meriting severer or corporal punishment by delivering them into the hands of Justice. Whether and in what degree the Chief Searcher Jessup has rendered himself guilty of one of the two Crimes, namely Disobedience and actual *Opposition* against the Commands of Your Excellency as Governor &

Commander in Chief, certainly depends on the Evidence of his having really and officially received those Commands and of his having been disobedient thereto, or even opposed their execution.

On being summoned before me he has absolutely denied having committed either of these Charges, and has most solemnly declared that he never received or saw any positive command from your Excellency for the Landing of the Cargo of the *Young Nicholas*, to which, if he had, he would have paid the most respectful obedience.

This assertion however is not very consonant with the language he has made use of in his statement to his Counsel, and which the latter has also adopted in his advice, and by which they both have shown every thing but respect to the Proclamation of the 3rd February last, published in this Colony, which having thus obtained Virtue of Law, most unquestionably continues binding on every Individual in this Colony until the same or other equal authority be pleased to order otherwise.

The principle of obedience and discretion ought therefore always to have been the guide of the persons in question, even supposing they had had any lawful grievance to represent against a proclamation.

Every officer, whatever his duty may be, ought in this Colony, agreeable to the constitution of its Government, to be considered to have performed his duty when he has given to the Governor & Commander in Chief due & official information of what he conceives to be his duty. A pretence of attending to one's duty can never in the least justify any disobedience or disrespect to the superior, much less can any person have recourse to any Judicial power, *at least in this Colony*, towards counteracting any Proclamation issued by His Excellency the Governor & Commander in Chief. This would be an *imperium in imperio*, calling the power of Government into question, and would only terminate in universal disorder & confusion.

Mr. Jessup, to whom his warrant, bearing date 9th February 1798, has given but very limited instructions to act "*as chief searcher according to the present usage of this Colony, until the same shall be altered by any subsequent regulations, in all which premises he is to proceed in such manner as the law* (to be of course the Colonial Laws) *directs,*" ought therefore when he conceived that in the Proclamation of the 3rd February last there occurred any thing

which required any further explanation, immediately to have manifested his zeal & vigilance in the discharge of his *duty*, by submissively & respectfully representing his objections to the Commander in Chief rather than to await an opportunity towards availing himself, if possible, of those objections to the prejudice of Individuals, who *bonâ fide* had shipped their goods by permission of Government.

Although the Laws do not prescribe any certain punishment for *disobedience & opposition* against His Excellency the Governor's commands, but leave the same *arbitrio Judicis* according to circumstances and in proportion to the greater & less degree of wilfulness, whence the injury & the public prostitution of the supreme power is accordingly inferred; Still the Laws of *this Colony* have even with regard to *improper words* made use of either in *private* or *public* papers provided on the subject, and endeavoured to effect that decency be attended to by every Individual towards public officers.

The following is the purport of the Proclamation bearing date 3rd September 1792—

“Whereas we have been informed that some persons do not fear making use, in juridical papers, memorials, petitions, &c., of expressions militating against decency & the respect due to the lawful Magistracy, public Boards, or Officers, which cannot but tend to undermine good order & proper subordination, which irregularity cannot be tolerated in a Country of good Police; We therefore, wishing efficaciously to provide on the subject, hereby forbid any person, of whatever *rank* or *condition* he may be, making use in any writing, memorial or petition, &c., either judicially or extra judicially, of any expressions or words militating against the decency and respect due to Government & to the public Boards or Officers, on penalty that the authors & presentors thereof shall pay for the first offence a fine of 50 Rixdollars, to be divided and shared *a usu*, & shall be moreover punished arbitrarily according to the circumstances of the case; and for the second offence a fine of 200 Rixdollars, besides a like arbitrary correction; & for the third offence a fine of 500 Rixdollars & *perpetual* banishment from this Colony, &c.”

Hoping thus to have accomplished Your Excellency's pleasure, & referring to what is generally before, I beg leave to commit the final determination thereupon to Your Excellency's superior wisdom,

& to conclude these respectfully & with the assurance that nothing will be more satisfactory to me than to assist in maintaining the authority & energy of Government, & to cause its orders to be duly respected and obeyed. I have &c.

(Signed) W. S. VAN RYNEVELD, Fiscal.

[Enclosure 22 in the above.]

[Original.]

Deposition of MR. JOHN HOUGHTON to the Fiscal.

I happened to meet Mr. Ponterdant on Tuesday Morning last (22nd April) when he immediately resumed his old Subject, in the same Manner he had done on former Occasions, advising and recommending in the strongest Terms to arrange the business with Mr. Jessup, and he did not doubt that on application to Government it would remit its part, and as the Fiscal would have nothing to do with the business, therefore it was clear what remained to be done, which was to satisfy Mr. Jessup for his third, then a summary Process might be devised, and that we should then get leave to sell it for Colonial Consumption. I then ask'd him to go with me to Mr. Jessup, but he advised my going alone, for that it was best on such Occasions not to have a third Person present, but that I might use his Name if I thought proper. I call'd upon Mr. Jessup after this conversation had taken place between me and Mr. Ponterdant, and told him part of what had been said relative to an accommodation, and that it was my wish to compromise the matter with him, he then ask'd me if I came only on my own account, or on the part of the whole, I told him no, that I came only on my own, but from the knowledge I had of the dispositions of the other parties they would be glad to terminate that disagreeable business. He answered it was impossible for him to compromise the business, as it would be assuming a power he had no right to assume, and that he would certainly prosecute the business, whoever might oppose it, and that the Governor, nor any other person could prevent him, for that the Stream could not rise higher than its Source, and the King himself and Council could not set it aside, they may make their Proclamations but are the rights of the East India Company to be infringed by them, they

are now paying a Million every Six or Seven Years, and an illegal Act is to be done by Virtue of a Proclamation of a Governor of a foreign Colony, adding that the East India Company had influence to have him recalled, and overturn the Fiscal and the whole set, if they dared to do anything improper in the business. He said he had heard the proclamation call'd a Green Proclamation under a Young Government, but he for his part called it making Special Remittances under a Green Proclamation.

CAPE TOWN, 25 April 1800.

(Signed) JOHN HOUGHTON.

Sworn before me.

(Signed) W. S. VAN RYNEVELD, Fiscal.

[Enclosure 23 in the above.]

[Copy.]

Letter from MR. THOMAS WITTENOOM *to* MR. DAVID
PONTARDANT.

VICE ADMIRALTY COURT,
CASTLE OF GOOD HOPE, 30th April 1800.

SIR,—I have it in command from His Honor the Judge to inform you that, on account of the Part which, from unquestionable Authority, he has been given to understand you have taken, upon the Subject of the Seizure which has recently been made of the Ship *Young Nicholas* and the Goods laden on board the same (lately restored and transhipped from the *Christianus Septimus*) and from the very unwarrantable manner in which he conceives you have thought fit to make use of his name, as having (among others) given an Opinion upon the Legality of that Seizure and of the Proclamation of His Excellency the Governor relative to Goods of the description of those so seized, he feels it a Duty incumbent upon him to dispense with your further Services as Examiner of the Vice Admiralty Court of this Colony.

His Honor has further instructed me to inform you, that altho the Order which he understands you have already received from His Excellency to leave the Colony would have rendered the Step he has now taken, in dismissing you from the above Situation,

unnecessary, yet that a due regard to Truth and to his own public Character has prompted him to express, by the only means left in his Power, the Indignation which he feels at the circumstance of his name having been introduced in the Transaction, without any sort of Foundation whatsoever, and that too by a person holding an Official Situation in the Court over which he presides.

I remain &c.

(Signed) THOS. WITTENOOM, Actuary.

[Enclosure 24 in the above.]

[Original.]

Letter from MR. JOHN HOLLAND to SIR GEORGE YONGE.

CAPE TOWN, 30th April 1800.

SIR,—I have the Honour to inclose for Your Excellency's perusal a Copy of a Letter sent to Mr. Ponterdant by my desire, & lament that the privation of an Office, that under Your Excellency's Order for his leaving the Colony, he could therefore no longer enjoy, is the only means left me of proving to him the dissatisfaction I feel at the insolence & impropriety of his conduct.

Should Your Excellency think proper to transmit an account of that Gentleman's Conduct to His Majesty's Ministers, may I presume to solicit that the enclosed Letter may form a part of such communication. I have &c.

(Signed) JOHN HOLLAND.

[Enclosure 25 in the above.]

[Copy.]

Letter from MR. D. PONTARDANT to MR. T. WITTENOOM.

May 4th 1800.

SIR,—To be calumniated and misrepresented is to me matter of great regret, but to cause Indignation in the Breast of those whose good Opinion I most wished to have obtained is indeed matter of the sorest affliction.

I should have answered yours of the 30th April e'er this but the State of mind in which I have been in for some days past has rendered me incapable.

The way in which I made use of His Honor the Judge's name was in a private Conversation with two Merchants who shipped Goods on board the *Young Nicholas* who asked my opinion as to the Legality of the Seizure made by the Searcher of His Majesty's Customs at this place; what I said was as follows or words to that effect "That the Proclamation of His Excellency the Governor was said to be the production of Mr. Green, and that I had heard that upon the legality of the Seizure the Opinion of the Governor and the Judge were at variance." This I said confidentially and I will almost venture to assert that there are not six Men in the Cape Town who have not heard the same.

That I have fallen by this incautious and imprudent Conversation is certain but it is some Consolation to me to think that I have not fallen by any immoral or vicious action. I beg you to say to the Judge that I feel I have justly incurred his displeasure and that I remain grateful for the situation he was pleased to place me in. I have &c.

(Signed) D. PONTARDANT.

[Enclosure 26 in the above.]

[Original.]

*Letter from MR. H. J. JESSUP to the Collector and the
Comptroller of Customs.*

CAPE TOWN, 6th May 1800.

GENTLEMEN,—The Books of the Department of His Majesty's Customs, allotted to my superintending care, are now ready to be delivered up to you, according to His Excellency the Governor's order. My late Clerk Mr. Daly will take your receipt and the Comptroller's for them. The only object that remains between us officially to call your attention to is that you and the Comptroller of the Customs do officially on behalf of His Majesty, and in His name, take ample Security (such as may be approved of by His Excellency the Governor) for the forthcoming of the Ship *Young Nicholas*, with her Tackle, apparel &c., as well as the property on board said Ship subject to confiscation, or the full appraised value

thereof; and that you do not without His Excellency's special permission give a clearance from your respective offices to the above Ship *Young Nicholas*, without first taking such Security as is above pointed out and enrolling the same in Mr. Secretary Barnard's office, and taking such other steps for the future Security of the same as shall meet with His Excellency's further approbation. And I trust Gentlemen you will respectively give an equal degree of attention to the property already landed under The King's Locks, as you have informed me in your official letter on that subject, and which I have understood verbally was done by permission from His Excellency the Governor; subject however as I presume to the influence of the seizure personally executed by me in The King's name on the Seventeenth day of April last, in presence of William Thomas Morse and Richard Fettell the Tidewater, who was left on board to keep possession of the same, under my official orders. And this Gentlemen I enjoin on you in your respective public capacities of Collector and Comptroller of His Majesty's Customs, as a special Duty imposed upon you in the name and on behalf of my Royal Master The King, whose Rights and Interests in the above forfeited property it is my business to maintain. I am &c.

(Signed) HENRY J. JESSUP,
Chief Searcher of Customs (during His Majesty's Pleasure).

[Enclosure 27 in the above.]

[Original.]

Letter from MR. HENRY J. JESSUP to SIR GEORGE YONGE.

CAPE TOWN, 8th May 1800.

SIR,—I have received your Excellency's Order to suspend me from performing the functions of Chief Searcher of Customs till His Majesty's Pleasure is known, with your Excellency's permission to go to England in Order to vindicate my Conduct before His Majesty's Ministers.

Conscious as I am of the Integrity of my Conduct through Life in the discharge of my Public and Private Duties and feeling the most affectionate attachment towards my King and his Government I am humbly to intreat that your Excellency will be pleased

to Grant me a Copy of the Allegations to be preferred against me as it may be necessary before I leave the Colony to procure proper Documents for my Justification.

If I have unfortunately and contrary to my real Intentions *done any Act in my convivial moments* that has been construed to my prejudice I entreat that I may be made acquainted with the Circumstance and will atone for it with Chearfulness as I feel from Innate principles I am incapable of doing an intentional wrong to any man, certainly not to the representative of my Royal Sovereign. I therefore beg leave to assure your Excellency that the misrepresentations of my Enemies must have gone abroad to prejudice your Excellency's mind against me in order if possible to work my ruin. I have &c.

(Signed) HENRY J. JESSUP.

[Enclosure 28 in the above.]

[Original.]

Letter from MR. JOHN HOLLAND to SIR GEORGE YONGE.

CAPE TOWN, 8th May 1800.

SIR,—I have the Honor of enclosing a Copy of Mr. Ponterdant's letter to the Actuary of the Vice Admiralty Court in answer to his written by my desire and a Copy of which was forwarded to Your Excellency some days since. I have &c.

(Signed) JOHN HOLLAND.

[Enclosure 29 in the above.]

[Original.]

Letter from MR. JOHN HOOKE GREENE to SIR GEORGE YONGE.

CUSTOM HOUSE, CAPE TOWN, May 8th 1800.

SIR,—We have the Honour to inclose for your Excellency's perusal and consideration a Copy of a Letter Dated the 6th Instant addressed to us from Mr. Jessup: and have to request that your Excellency will be pleased to give us directions what farther notice we are to take of such Letter. We have already

acknowledged the receipt of it to Mr. Jessup, and informed him that we had laid the same before your Excellency, and that we waited your Instructions for our further proceedings.

We have &c.

(Signed) JOHN HOOKE GREENE, Collector,
(Absent in Simon's Town), Comptroller.

[Enclosure 30 in the above.]

[Original.]

Statement of the Circumstances attending the Transaction with
MR. JESSUP.

The first Occurrence was an Application from Mr. Jessup for leave to go home on account of His Health, & to keep his Employment & Salary & appoint an Agent in his Absence, as has been granted to Mr. Ross, stating he had as good a Right to this Indulgence as Mr. Ross, and it was understood he had actually fixed on his Agent, who was to have half his Salary.

The Governor thinking this a bad Precedent which if established would lead to the absence of others & make the Offices of Trust under Government here mere *Sinecures* & there being no Certificate of ill Health, did not think the Case similar to Mr. Ross's or that the same Indulgence should be allowed, and therefore that the Rule should be observed of resigning the Office *ad interim* with the privilege of resuming it on his return if Government approved of it. On his being made acquainted with this, The ill health disappeared, He refused to resign & declined going as appears by his *familiar* letter to the Governor.

The next occurrence arose from an application from a Tide Waiter praying leave to resign his Employment on account of the Oppression he experienced from Mr. Jessup, the Circumstances of which Case appear to be as follows—

The Tide waiter Mr. Williams being doing Duty at Simon's Town, got Information of some clandestine landing of Goods, and on searching found & seized them. Mr. Jessup not being then at the place, nor knowing anything of it at the time, But on hearing of it he hastened thither, & arrived just before the seizure was

completed. The Court of Justice pronounced the seizure to be good, when Mr. Jessup averred Himself to be both Informer & Seizer on which the Court decreed him the share of the Confiscation allowed by this Colony to Informers, & converted the amount to his own use, denying any recompence to Williams, & driving him to the expence of a Suit at Law to recover it, and the Court has made Jessup's Property responsible for the issue of the Suit, which is not yet determined, while the expence of it has since forced Williams to resign.

A similar Case occurred to a smaller extent with regard to another Tide Waiter Mr. McMillan, whose share of Confiscation Jessup has in like manner seized and the poor man has been forced to submit.

With regard to the Insolence to the Collector & Comptroller of the Customs his Correspondence will shew the particulars.

With regard to the Seizure of the Ship *Young Nicholas* the papers annexed will explain the Particulars. It is therefore sufficient to state that the Permission for selling the Cargoe of the Danish Ship, which were purchased accordingly at the Sale, and shipp'd on board the *Young Nicholas* as stated was granted in 1799, & the whole transaction took place in that year and in 1798, with the full concurrence of the Agent of the East India Company & of the Governor Major General Dundas and that the Permission of the present Governor to the Supercargoes of the Ship to compleat the Sale in the manner petitioned was no more than what they appeared entitled to under the former Orders.

Part of this Cargoe was purchased by the Parties concerned in the Ship *Young Nicholas* for exportation, intending to export it to England, & reap the benefit of the Prize Acts, but having on application to the Vice Admiralty Court been refused the necessary Certificates, they desisted from their purpose & petitioned for leave to reland the Goods, offering to place them under the Custody of the Officers of the Customs till further Orders. Leave was granted on that Condition & a permit ordered accordingly, in consequence of which the Goods were relanded, nor was the Ship cleared out at this very moment, when every Idea of exporting for England had ceased. Mr. Jessup takes upon himself to seize the Goods thus relanding under colour of an illicit importation & exportation & as an illegal Transaction arising from an Act of Government published Three Months before,

namely the 3rd of February 1800, with which it could have no manner of reference.

This proclamation accompanies these papers & has already been transmitted home. It is therefore only necessary at present to state that the Proclamation was issued at the earnest & joint request of the Vice Admiralty Court, the Officers of the Navy, and the Prize Agents, there being no Instructions received from Home on the Subject, and the Suspence in which the Business relative to Prizes being represented as so grievous that some remedy was necessary at least till the King's Pleasure could be known, and it appearing to the Governor that by the King's Order in Council that Power was given to Governors for the time being to make temporary Regulations when necessary. It appeared necessary to make a Regulation *pro tempore* as might in some degree relieve all Parties without Injury to any.

Such a Regulation was accordingly prepared, not only on consultation with the King's Revenue Officers, the Collector & Comptroller of the Customs, with a confidential communication with the Agent of the East India Company, who saw no objection to it, and with the opinion of the Judge of the Vice Admiralty Court, but also on a Reference to the Report & Opinion of the Crown Lawyers on the Subject, of which a Copy has been obtained, & it appearing by that report that Cases might arise in which Prize Goods might be landed tho' coming from Countries East of the Cape of Good Hope, & sold under certain circumstances, either for Home consumption Here, or for exportation, & if exported should be placed under the Regulations of the Act of the 33 G. 3rd relative to Prize Goods imported into England, and this whether such Prize Goods were upon Tryal condemned or restored. This Rule was followed and the Proclamation was published the 3rd of February 1800 to take place till the King's pleasure was known, from which Time till the Seizure made on the 17th of April, not the least Complaint was made either by the Agent of the East India Company, or any other Person, nor any Representation even from Mr. Jessup himself whose official Duty it was to have made such representation in case any Inconvenience had occurred to him as likely to arise from such a Regulation. No such therefore did occur to him, or else he willfully concealed such Inconvenience, & preferred resisting the Acts of Government to the giving it his advice and support.

Under all these Circumstances the Power & Authority of Government thus publicly defy'd & deny'd, It was found that the least Notice taken of such Conduct would be to suspend the Party from executing the Office he held, which by the advice of the Fiscal was done accordingly and his Aiders and abettors ordered out of the Colony, referring the Decision of the whole matter to the King's Ministers at home.

[Original.]

Secret Letter from SIR GEORGE YONGE *to the* RIGHT HONOURABLE
HENRY DUNDAS.

May 15, 1800.

DEAR SIR,—It is with the most Deep and Heartfelt Concern that I find it necessary to Trouble you with a Relation of what has recently pass'd between your Friend General Dundas and me. Fully aware by the Hints you had privately given me of the Haste and Suddenness of Temper which sometimes prompted Him to strange and violent Conclusions, and mindfull of the Promise I gave you to meet, if I could not prevent Discussions of any Sort, with Calmness, I from the moment of my arrival took every step in my Power to afford him every kind of satisfaction to assure Him of my Good Wishes, and Desire of being on the best terms with Him, and the Proofs I gave him of this Produced from him acknowledgements which made me hope I should be fortunate enough to prevent any Misunderstanding taking Place, and that every thing would go on as harmoniously as could be wished—But alas! this has not been of long Duration and though from the first I gave him the strongest assurances that I left all Military Matters to his Care, & begg'd him to do any thing He pleased, and that I should not interfere, yett I am sorry to say whether from the Suggestion of others, or from his own Disposition I know not, But almost from the Hour of his Return from Graaffe Reinett He has taken umbrage almost at every thing giving Weight & Importance to the most trifling Incidents, at the same time Concealing his Disgust, and never communicating to me any thing which could possibly give me Reason to think He had any ground of complaint, He has suddenly broke out and on the 10th of this

Month without my knowledge Issued a General Order to the Army, glancing at the whole of my Conduct both as Governor & Commander in Chief, and reflecting on me as having alter'd and broke through the Rules of the Service, as you will see by the enclosed Copy of the Order.

My astonishment and that of the Garrison at such a Proceeding may be easily Imagined. What Notice should be taken of It was the next Consideration, but the mischief which might ensue from a Publick Breach of any kind, at this moment, or the Continuance of any Dispute led me instead of taking notice of It to write to him, and desire he would at least state even now any ground of complaint He had, His answer I enclose in Consequence of which a Correspondence commenced, in which I adhered to the Pacifick Plan which I conceived Important for the Publick Service, and at length brought him to a Disposition to come to me and Discuss the Subject Coolly. He has just been with me, and has express'd his Concern at having Issued the order in Question admitting He had been too hasty, and wishing It had not been Issued, Denying any Intention of Disrespect or to Glance at my Conduct in the least, which he confess'd had been kind to him, but avowing his Jealousy about Command, & suspicions arising from Circumstances, trifling indeed & arising chiefly from what He Conceiv'd the Conduct of one of my Aids de Camp which He declared He meant to Glance at, and not me, in the Order He had Issued which made him uneasy & Dissatisfied. It was in Vain I reminded him of the Assurances I had given Him about Command. It was in Vain I begg'd to repeat those assurances and to protest I would not meddle with his Command if He would bribe me to it. He still remains Discontented, tho' He has repeated his assurances of Respect and Regard as well as his Concern at having Issued the Order. However He has now promissed that nothing of the kind shall happen again, and that He shall be more easy in his Mind for the future.

However, My Dear Sir, It is Impossible to tell how long this Quiet will last, and I fear a Repetition of It, tho I will avoid it if possible. For I will now mention that in Conversation He said a great (*sic*) of the Uneasiness of his Situation, That his uneasiness was such that He would ask my Permission to resign his Command & leave the Colony, if It was not time of War, and had not been given to understand that in such a time He could not do It with Honor, That He should most anxiously wait for the Moment when

He could do It, That He knew very well what He had done would end to his disadvantage and He should be a Sufferer by It, and that He should therefore not have an easy moment while He staid here. I assured Him It was sufficient He was sensible of the error of what He had done, That no Representation of mine should go Home to make Him a sufferer from It however Improper It might be, and that He need not doubt of my continuing to wish as I had hitherto Constantly done, to lett things go on Quietly, If He would only do the same, and I added every thing I could to satisfy Him on the Points which gave Him any uneasiness, and so the matter rests at present. But I confess I have no Hope of Its long continuing so, & I am very uneasy about It. He plainly wishes to change his Situation, and with that wish I fear Scenes of this kind may be renew'd every Hour. Whether His wish can be gratified or not, I am no Judge but if it could I believe It would be a very great kindness to Him.

And now, my Dear Sir, I beg this may not be regarded as an Official Representation of the matter and you will have no Dispatch whatever from me on the Subject, but having faithfully promised you to avoid all Discussion of the Sort, if possible, more especially as It might be expected I have sent you this account In *Confidence* to shew how Faithfully I have adhered to my promise and with what persevering and Patient Efforts I have succeeded (if I have succeeded) in preventing the Continuance of a Contest which had arisen so unexpectedly, and which might have produced the Worst Effects.

My last Dispatches will have announced to you the Pleasing Information of the Tranquillity we enjoy and I have the Pleasure to be able to say That we have received an express last night from the Interior, which assures us that though there are some Petty excesses, this happy Tranquillity is not likely to be disturbed.

I have &c.

(Signed) GEO. YONGE.

P.S. After all some Incurable Jealousy about Command seems at the bottom and an *Aid de Camp* is sent home, without any visible Reason, or Explanation of the Object of his Mission.

[Original.]

Letter from VICE ADMIRAL SIR ROGER CURTIS to
EVAN NEPEAN, ESQRE.

Lancaster, SIMON'S BAY,
CAPE OF GOOD HOPE, May 15th 1800.

SIR,—This Letter will inform the Lords Commissioners of the Admiralty of the proceedings of my Command since my last dispatch. . . .

The *Adamant* sailed for Simon's Bay on the 6th April, and the *Lancaster*, *Tremendous* and *Diomedé* on the 14th. The Naval Stores deemed likely to be wanted here during the Winter Season were brought round in the Ships, as also as much extra Provisions of various articles as they were capable of taking on board.

I had not, with every possible exertion, been able to get all the work I had in hand relative to the security of our buildings &c. compleated before the Ships left Table Bay, so I was under the necessity of causing some artificers belonging to the Ships to be left behind to finish the work. However they have now joined their respective Ships, and I am happy to say the Storehouses &c. there are now in such a state that I am under no apprehensions from the effects of the approaching rainy Season. The enclosure of the Yard is also compleated, and the great utility of the Measure has been found conspicuously evident.

Our buildings here are but little out of repair. The upper part of the Wall of the Yârd fronting the Sea is, according to the custom of the Country, made of Sods; and a great part of this Parapet is now down, from the want of timely reparation, on which account the Yard is open to Theft and irregularity; but I am cutting fresh Sods and putting it into repair, and it will soon be made good. . . .

Three East India Ships, the *Princess Charlotte*, the *Earl Howe*, and the *Minerva*, arrived here from Bengal the 26th April, having had a passage of three Months, and put into this Bay for Water, and also to make some reparation to the Knee of the Head of the *Princess Charlotte*. . . . I imagined therefore these Ships would have been at St. Helena to have gone home under the protection of the *Oiseau* and *Camel*. As it is, Governor Brooke will perhaps detain them to proceed to England with the Convoy from China,

which Ships may in their way to Europe be expected to reach the length of the Cape of Good Hope in the Month of June.

Of the Squadron the *Jupiter*, *Star*, and *Euphrosyne* only are at Sea, and they are upon the Services mentioned in my last return of the Disposition of the Ships and Vessels under my Command. . . .

On the 5th instant two Whalers which had left England with three Ships with Troops, and other Merchant Vessels destined to this place arrived here, and reported that one of the Transports had been crippled and had put back, that another of them had separated, and that on the 23rd of March the *Ruby* with the other Transport, and several other Ships bound hither were at St. Jago one of the Cape de Verde Islands. The *Surat Castle*, the Ship which separated as above mentioned, arrived here in the greatest Distress on the 10th Instant. A Fever had raged on board her during the whole Voyage, and about 60 Men of a part of the 22nd Regiment she had on board, and above 120 of her Crew died during the Passage. Sixty of the Troops were landed here in a deplorable state of distress, many Convalescents in a state of extreme debility, and all the rest in a weakly condition, not a Man of the whole but what had been more or less affected with the Disease. It is represented to me that the Troops were embarked in this Ship five Weeks before she sailed—that the Fever broke out while she was in port—that upwards of 50 had been sent to the Hospital—and that 23 of them came back to the Ship previous to her sailing. So that the Ship left England in a sickly state, and the bad weather she met with under such circumstances on the first part of her Voyage certainly contributed to increase the calamity that has occurred. . . . It was unfortunate also that four fifths of the Crew of this Ship were composed of Lascars, who not able to bear the severity of the Cold and bad weather upon the outset of the Passage, became generally sickly, and a great number of them died. Such had been the distress in the Ship for some time previous to her arrival here, that the Officers of the Troops and such of the Soldiers as were able, were under the necessity of working on the common duties of the Ship. We are in daily expectation of the arrival of the Ships stated to have put into St. Jago. . . . I am &c.

(Signed) ROGER CURTIS.

[Original.]

Letter from VICE ADMIRAL SIR ROGER CURTIS to
EVAN NEPEAN, ESQRE.

Lancaster, SIMON'S BAY,
CAPE OF GOOD HOPE, 16th May 1800.

SIR,—I am extremely concerned to desire you will inform their Lordships that I have just received intelligence from Algoa Bay, that Lieutenant Thomas Walker Commanding the *Euphrosyne* Brig, which Vessel I had sent thither to carry some Provisions and other Articles for the use of the Troops at the Military Post established there, was on the evening of the 5th instant, together with the Clerk and Five of the Crew, unfortunately drowned in attempting to go off to the *Euphrosyne*, and it is supposed the accident happened from one of the planks of the Boat having started. The Master of the *Euphrosyne* having been left behind when she sailed for Algoa Bay, I am not sure there is any person on board her capable of navigating her to this place, it is therefore my intention to send the *Diomedé* thither to conduct her to this Bay. I am &c.

(Signed) ROGER CURTIS.

[Original.]

Private Letter from SIR GEORGE YONGE to
WILLIAM HUSKISSON, ESQRE.

CAPE TOWN, May 17, 1800.

DEAR SIR,—I trouble you with the Enclosed Letters, which I will beg you to get Convey'd as Directed. I have sent to Mr. Dundas a number of Papers relative to a Mr. Jessup here, who has been playing the Devil here and plaguing me to Death. I found Him embroiled with the Collector & Comptroller of the Customs, and, also, in a Law Suit for having Cheated some Persons of some fines due to them, and soon after my arrival, Having given my Leave to Mr. Ross to go Home for his Health & Indulged Him in the appointment of Deputies to act in his absence, Mr. Jessup

writes me a very peculiar Letter Intimating that He had as good a right to name a Deputy, and to go home for his Health as Mr. Ross. Understanding He was in perfect Health, and conceiving that Government would not allow Persons holding such offices to go home and make their Places *Sinecures*, I told him the two Cases were different & the Rule being to resign *pro tempore*, resuming the Office at his Return, He sent me word He held the Office of Mr. Dundas, & would not resign, nor go Home on those Terms. By the By, He had agreed with a Person of his own Choice to do the Duty for half the Salary. Thus matters stood, after bickering with the Collector & Comptroller, when Piqued, as I suppose, at what had happened, He on the 17th April broke out into a most violent attack on me, and indeed on the Authority of Government here, that according to the Laws of the Colony He was lyable to a Criminal Prosecution and to Fyne and Imprisonment, but I have contented myself with the least possible notice of his offence, by suspending him & sending him home, together with his two aiders and Counsellors, who are every way worthy of their Reward. I presume Mr. Dundas will send the Papers to the Treasury, as they relate to a Revenue Officer. They will speak for themselves, and I will only say that so far from meaning to Injure the E. I. Company I have been doing every thing Mr. Pringle wish'd, and am actually devising means to render any Injury to them here impracticable. Indeed I wish they received no more Injury in India Itself to their exclusive Privileges than they do here, but I believe they suffer infinitely more there. Indeed there is the best Security here against any Clandestine Practices, at least to any very great Extent, namely, That the Country is so thinly Inhabited there are not Purchasers for much Clandestine Trade, besides that European Articles are getting Chiefly in Repute here, and nothing is bought here but by necessity and to a very small Extent Indeed; some Increase of Duty on what does come here by Licence would effectually give European Articles the Preference, and be of great advantage both to the Company and to Great Britain, and I hope to be able to Effect this in time.

This will not be delivered you by M. General Dundas's *Aid de Camp*, who is just gone, because He has been sent without my having any previous Knowledge of It, nor did he Himself give me any Notice of his Departure, nor call to know if I had any commands, so that his mission and the Object of It, or the necessity for It

are alike a Secret to me, nor do I know of any Sort of Occurrence in this Colony that Called for his going.

I have troubled you about sundry matters for the use of this Colony, which I hope you have received, and that you will do what you can in them.

All Is quiet here—Thanks to the Happy Issue of the War in India—But I am sorry to say only a small Part of the Troops from home are yett arrived, Viz. the *Surat Castle* with about 300 men of the 22nd Regiment under Lieut. Col. Mercer, all of them Boys, & most of them very Sickly with Fluxes & owing to their long Confinement on Board, having been 6 Weeks on Board before they sett out, and the Ship very Ill Equipp'd indeed, so that they wanted Common Necessaries. All Possible Care has been taken of them, and tho' some more have dyed since their arrival the rest I hope are getting better, but there are not at present 200 fitt for Service, so that this is but a poor Reinforcement. I hope in God the rest will fare better. They parted from the Convoy off Scilly in a Gale of Wind, and never after saw any Ship or any Land till they got here the 5th Instant. Sir Roger Curtis known Humanity has exerted Itself on this sad occasion for the Relief of the poor Men to a degree worthy of Him, and that exceeds all Praise, and saved many from Perishing.

Here are several Ships from India that Putt in Disabled going directly for England and among them the *Collier* from Amboyna with a Cargo of Spices worth half a million. This will be delivered you by a young [man] returning from India for his Health of the name of Paxton, a very deserving young man, whom I wish to recommend to Mr. Dundas's Notice. I am &c.

(Signed) GEO. YONGE.

P.S. I enclose you some Papers relative to an Injury done to an English Whaler by an American Vessell. Mr. Elmslie the Consul here has very handsomely supported the Complaint, and sent advice of It home for the Purpose of Redress, if possible.

[Original.]

Letter from VICE ADMIRAL SIR ROGER CURTIS to
EVAN NEPEAN, ESQRE.

*Lancaster, SIMONS BAY,
CAPE OF GOOD HOPE, 18th May 1800.*

SIR,—The *Earl Howe* East India Ship by which I send my other dispatches which will come to you with this, being to Sail early tomorrow morning, I have only time to acquaint you that the *Scaleby Castle* with part of the 34th Regiment on board, and which Ship put back after her first sailing from England, and lastly sailed from Falmouth on the 13th March, has this evening anchored far out in this Bay. The Officer of the Guard reports to me that the Ship has been sickly during the passage and that of the Troops and Ships Company together there have died 130 Men ; but that there are few Sick on board at present. I am &c.

(Signed) ROGER CURTIS.

[Office Copy.]

Letter from the WAR OFFICE to SIR GEORGE YONGE.

DOWNING STREET, 21st May, 1800.

SIR,—It is necessary I should apprise you of the Steps taken by His Majesty's Ministers with regard to M. de Vermaak, who lately arrived here under the charge of Captain Robinson of the *Regulus*, on board of which Ship he was sent home by order of Brigadier General Fraser, then commanding at the Cape ; not only that you may be aware of the decision on his particular case, but that a more regular mode of proceeding may be observed should any similar occurrence hereafter arise.

On the present occasion, it appears evident from the Papers transmitted by Brigadier General Fraser that M. Vermaak has been in correspondence with His Majesty's Enemies and he has in consequence been sent out of this Country under the authority of the Alien Act, with strict injunction not to return to any of His Majesty's Dominions.

It has been at the same time intimated to him that if he should be found within the territories of the Cape of Good Hope he would be immediately brought to Trial for the offence on account of which he was sent to this Country.

Instead of sending M. Vermaak to England to be tried before a Tribunal where the material witnesses could not be brought forward without such difficulties and delays as might eventually tend wholly to frustrate the object of his Trial, the Government of the Cape ought unquestionably either to have brought him to Trial on the Spot, or to have availed itself of the authority derived under the antient Constitution of the Colony to banish him from thence.

[Original.]

*Letter from MAJOR GENERAL DUNDAS to the RIGHT HONOURABLE
HENRY DUNDAS.*

CAPE OF GOOD HOPE, 24th May 1800.

DEAR SIR,—Having been solicited by Mr. Jessup, who has received an order from Sir George Yonge to leave this Colony and return home, for a letter to you expressing my sentiments with respect to his conduct during my administration here I have no reason to hesitate in saying that his conduct in the discharge of his duty as Searcher at the Custom-house was such as to merit approbation. I have &c.

(Signed) FRANCIS DUNDAS.

[Copy.]

Letter from SECRETARY CROMMELIN to MR. JOHN PRINGLE.

FORT WILLIAM, 5th June 1800.

SIR,—I am directed by the most Noble the Governor General in Council to acknowledge the receipt of your Letter of the 26th Jany. last, with its enclosures.

His Lordship in Council adverting to the unfavourable State of the Market at the Cape for the Sale of Indian Commodities,

as represented in your Letter, as well as to the original regulations for the supply of that Settlement, and the repeated request of Lord Macartney on the subject, has judged it expedient to determine that no further supplies shall be sent from the Company's Settlements in India, except upon regular Indents; I am therefore directed to desire that you will cause such Indents to be formed, and transmitted to the several Presidencies, as the necessities of the Settlement at the Cape may occasionally require.

I am further directed by His Lordship in Council to desire, that you will be particularly attentive in the transmission of the Indents at such early periods as may afford sufficient time for the Articles to be imported at the Cape, without subjecting the Inhabitants to intermediate distress from the want of them, and that to guard, as far as may be in your power, against disappointment, by the miscarriage of Despatches, you will transmit the Indents in Quadruplicate, as opportunities may occur.

As there must unavoidably be some risk in the transportation of the supplies, and it is very desirable to prevent disappointment or inconvenience to the Inhabitants of the Cape, his Lordship in Council is of opinion that your first Indents should be formed on a Scale sufficiently large to enable you to reserve a considerable Stock on hand, as the Capture or Loss of the Ship in which the supplies may be sent, might otherwise subject the Settlement to temporary distress.

The most Noble the Governor General in Council has directed the necessary Orders to be transmitted to the other Presidencies, to prevent the exportation of further supplies to the Cape, except upon regular Indents from thence. I am &c.

(Signed) C. R. CROMMELIN,
Secretary to Government.

[Copy.]

Duty on Cape Wines and Brandies.

PARLIAMENT OF GREAT BRITAIN,
HOUSE OF COMMONS, June 9th, 1800.

The House in a Committee resolved, "That all spirits, imported from the Cape of Good Hope, should be subject to the same

duties and drawbacks, as those imported from the West India Colonies; and all wines from the Cape, be subject to the same duties and drawbacks as those from Portugal."

The following Duties have been fixed by Parliament on Wines and Brandies the produce of the Cape, imported into Great Britain, making a difference of £10-1-6 in favor of each Tun, on the Custom Duty; and £5-19-0 on the Excise Duty.

Cape Wine Imported in British built ships into any Port of Great Britain except London, per Tun of 252 Gallons, Cons. Cust. £16-16-0, Duty 1796 £20-0-0, Convoy duty £1-6-6. Total Cust. £38-2-6. Excise £31-18-0.

Cape Wine imported in Foreign Ships, per Tun of 252 Gallons, Cons. Cust. £19-12-0, Duty 1796 £20-0-0, Convoy duty £1-6-6. Total Cust. £40-18-6. Excise £31-18-0.

Cape Brandies, or Strong Water; or Cordial Water, not otherwise enumerated or described, the Gallon, Consul Cust. 2/10, Duty 1796 $1\frac{1}{2}$ ^d, Duty 1797 $1\frac{1}{2}$ ^d, Convoy Duty $2\frac{5}{20}$ ^d. Total $3\frac{1}{2}$ ^d. Excise, Single 7/7, Double 14/9.

[Original.]

*Extracts from a Letter from VICE ADMIRAL CURTIS to
EVAN NEPEAN, ESQRE.*

Lancaster, SIMONS BAY, 15th June 1800.

The Four Ships which sailed from England with Troops for this Colony have all arrived.

There has for a length of time been the most Tempestuous Weather in the Indian Seas, and also in those adjacent to the Cape of Good Hope. On the 28th of May One Ship, two Brigs, and a Cutter, all English, and a Danish Merchant Ship that ventured to remain in Table Bay, parted their Cables and drove on shore: One of the Brigs and the Cutter were beat to pieces—the English Ship and the other Brig have since been got off, but I think there is little hope of the Danish Ship being again got afloat. No Lives were lost. The Wind was from the N.W., and though it could only be called a Fresh Gale, the Sea was prodigiously high.

(Signed) ROGER CURTIS.

[Copy.]

Proclamation by SIR GEORGE YONGE, BARONET, &c.

Whereas the encreasing population of this Colony renders it necessary that timely precautions should be taken to secure to the Inhabitants of the Cape Town and its vicinity the quantity of Butcher's Meat necessary for their daily consumption; and as the numerous Herds of Cattle with which this Colony abounds are not only fully adequate, under proper regulations, to supply the wants of its Inhabitants, but also to afford refreshments and supplies to the Ships that occasionally touch here; I do therefore hereby order and Command, and it is hereby ordered and Commanded, that it shall not be lawful for any Butcher who shall have opened his Shop on the beginning of the year to close the same until twelve Months shall have expired, unless he shall be able to assign sufficient reasons for so doing, which reasons must be laid before, and approved of by, the Burgher Senate, under the penalty of one Thousand Rixdollars; nor shall he be at liberty to purchase a greater number of Cattle in the Country than what is necessary for the supply of his shop, and having purchased the Cattle, it shall not be lawful for him to keep back the same from the Market in order to enhance the value thereof; and all persons desirous of following the Butcher's trade must give notice of their intention to the Burgher Senate on or before the first day of November every year previous to their opening their Shop on the first of January.

And whereas regulations have already been made respecting the price both of Sheep and Bullocks; yet no fixed rate per pound has been till now established, I do therefore hereby publish and make known that henceforth the following rates shall be the only lawful ones at which Butcher's Meat shall be sold at per pound in the Cape Town and its vicinity: that is to say Marketable Beef not less than two pounds and a half for a skilling, prime sort of Beef two pounds for a skilling, Mutton not under two pounds and a half for a skilling. And whereas in consequence of the present improper mode pursued by the Farmers in breeding and fattening their Sheep, the weight thereof has considerably diminished, so that a Sheep that formerly weighed Fifty or Sixty pounds now only weighs thirty or forty; I do

hereby authorize and empower the Burgher Senate whenever it shall appear to them that the Sheep from proper management shall arrive at their usual weight, to encrease the quantity that the Butchers are by law to supply to the Inhabitants for one skilling; and in order that no person or persons may be able to plead ignorance of these my regulations and Commands, I do hereby order and require that these presents may be published and made known in the usual manner; and moreover that Copies of them may be affixed and distributed throughout the Colony.

Given under my Hand & Seal, Castle of Good Hope this 23rd day of June 1800.

(Signed) GEO. YONGE.

[Copy.]

Proclamation by SIR GEORGE YONGE, BARONET, &c.

Whereas by a Proclamation bearing date 25th of May 1774 certain Laws and Regulations were established for the preservation of the Game in this Colony; and as it appears that the aforesaid Proclamation through lapse of time and other circumstances is no longer considered to be in force: I do therefore by Virtue of the powers and authorities in me vested, hereby publish and make known that the following Laws and Regulations on that head shall in future be strictly followed and observed throughout this Settlement, viz. no person whatever shall be at liberty to shoot or kill Game, either by dog, net, Snare, or Gun, unless he shall have previously obtained a Licence to that effect; that is to say, all persons residing in Cape Town and the District thereof from the Office of the Secretary of the Colony; and all others from their respective Landrosts; for which Licence they shall pay the Sum of five Rixdollars Annually; and any person or persons killing, taking, or destroying Game without the said Licence shall forfeit on Conviction the Sum of Fifty Rixdollars, one half of which shall be for the benefit of the informer. And in order to define what Animals in this Colony come under the description of Game, the following are to be considered as such: Hares, Partridges, Pheasants, Korans, Wild Peacocks, and the whole Antelope or Deer Species. Be it further known that it shall not be lawful for any

Person to kill or destroy that noble Bird the Ostrich, which is now almost become extinct here, under the Penalty upon Conviction of Fifty Rixdollars, besides Six Months Imprisonment, the whole of the fine to go to the informer; nor is it any longer permitted to take or destroy the Eggs of that Bird, or to Sell or dispose of the same, under the Penalty of Fifty Rixdollars, one half of which penalty shall be for the informer.

And whereas, notwithstanding there exists a Law in this Colony strictly forbidding the shooting or destroying of Sea Cows or Zebras, yet it appears upon enquiry that in defiance of the Law that practice is still continued, in consequence of which they are both nearly extinct, except in the remote parts of the Settlement, I do therefore, in order to save the few that remain and if possible to encrease their number, renew and restore the aforesaid Law to all its force and Vigour; it is however hereby permitted to catch zebras when young, provided that the same can be tamed and made use of for domestic purposes.

And in order the better to preserve the Game and to encrease the same, I do hereby prohibit and forbid any person or persons to take, kill, or destroy any Partridges, Pheasants, Korans, or Wild Peacocks from the first day of August till the first day of December, that being their breeding Season, nor to shoot at, or kill either by Snare or Gun, or to expose for Sale any Deer, Hares, or Antelopes between the first of September and the first of January, that being considered as the Season in which they bring forth their Young. And any person or persons who shall act contrary to these my positive Orders and Commands shall upon Conviction of their having transgressed the Same pay a fine of Fifty Rixdollars, one half of which shall be for the benefit of the informer; and any Hottentot or person of Colour transgressing against the Laws and Regulations hereby established, if unable to pay the fine, shall upon Conviction, if a free person, be imprisoned for the space of three Months, and if a Slave, he shall be obliged to work at the public works for the same space of time, unless his Master should pay the penalty by Law established, and thereby release him.

And further It is hereby declared to be unlawful for any person to employ either Slave or Hottentot in taking, killing, or destroying Game for them, unless they shall have taken out a regular License or Qualification for the Same, and the like pains and penalties are affixed to this offence, and the same benefit accrues

to the informer, as in any of the preceding ones, and any person or persons selling or destroying of Game either in Cape Town or its vicinity, or any person or persons having Game at their Table during the time in which it is forbid to kill the same, shall upon Conviction be liable to the same Penalties as if they had actually killed it; and the same reward shall go to the informer as in the former instances.

As Pauws or Wild Peacocks are become extremely scarce, I do hereby order that till twelve Months shall have expired from the date of these presents, none shall be killed or destroyed within One Hundred miles of the Cape Town, and in order to increase the breed once more I do further order and Command, and it is hereby Ordered and Commanded, that every third Year shall be considered as a Jubilee Year, in which none shall be killed, under the penalty upon Conviction of Fifty Rixdollars.

And notice is hereby given that no Game either alive or dead will be suffered to pass the Barriers into Cape Town, unless the Bearer thereof shall himself be a qualified person to take or kill the same, or that he shall be provided with a passport from the person that sends the Game, specifying for whom it is intended; and all persons having the permission of Government to cut Wood in the Cape Downs, are hereby strictly enjoined not to suffer their Slaves to take Guns with them when they go to fetch the wood, under the further penalty of forfeiting their License, besides incurring that already established.

And in order that these my Orders and Commands may be carried into effect with all possible strictness and attention, it is my positive Directions to all the Landrosts in their several Districts to make these my presents as public as possible, and to cause Correct Lists of all such Inhabitants as shall have taken out their regular License to kill Game, to be sent to the different Field Cornets in their Districts, with strict injunctions to them to keep a watchful eye over such other Inhabitants as shall have neglected the Same.

Given under my Hand & Seal at the Castle of Good Hope this 15th day of July 1800.

(Signed) . GEO. YONGE.

[Copy.]

Proclamation by SIR GEORGE YONGE, BARONET, &c.

Notice is hereby given that Messrs. Walker & Robertson have my permission to set up a printing press and to publish a Newspaper weekly, and the aforesaid persons are to be considered as the Sole printers of Government and the only licensed printers in this Colony; nor shall any Public Order, Vendue or Mercantile Notices, Bills of Sale or Advertisements be published but by the said printers, either in their Newspaper, or hand Bills, printed by them, And all matters so printed by them shall be deemed Sufficient Notices of such Matters; and any other person or persons attempting the same will be subject to the prosecution of the Law, besides having their printing Materials Seized and confiscated, and besides paying for every Offence against this Order, on Conviction, a fine of One Thousand Rixdollars.

Castle of Good Hope, 21st day of July 1800.

(Signed) GEO. YONGE.

[Copy.]

Proclamation by SIR GEORGE YONGE, BARONET, &c.

Whereas representation has been made to me that notwithstanding the Regulations already made in order to prevent the buying or receiving stolen Goods in the Houses of Cape Town, that several thefts continue from time to time to be committed, which would not be the case if those orders were strictly adhered to and observed,—And Whereas it appears that several Houses are kept and inhabited here by slaves, who, being no longer under the Controul of their Masters, behave in a manner regardless of the Law and subversive of regularity and good order; I do therefore hereby order and direct, and it is hereby ordered and directed, that henceforth it shall not be lawful for any Slave to hire a House or Room, or to dwell or reside out of that of his Master's or Mistress's, under the forfeiture, not only of Fifty Rixdollars to be paid by the Master or Mistress by whose consent or know-

ledge such slave or slaves shall have so acted, but also a fine of Fifty Rixdollars to be levied on any person that shall have let such House or Room, independent of corporal punishment to be inflicted on the slaves that shall be detected having transgressed these my orders and Commands.

And altho' this proclamation is intended to prevent a slave from dwelling or carrying on any trade or business on their own account, the Master or Mistress shall nevertheless be at liberty to hire out his or her slave or cause them to work elsewhere, and to suffer them to reside with those in whose employ they are, provided that such slave or slaves shall be furnished with a note purporting the name of the person to or with whom he or they are hired or allowed to dwell, which note being likewise countersigned by the person to whose care such slave or slaves are entrusted, is to be exhibited at the Fiscal's office, under pain of becoming liable to the before-mentioned penalties.

Given under my Hand & Seal, Castle of Good Hope 23rd July 1800.

(Signed) GEO. YONGE.

[Office Copy.]

Letter from the WAR OFFICE to SIR GEORGE YONGE.

DOWNING STREET, 28th July 1800.

SIR,—I have received your Letters of the Dates mentioned in the Margin, and have had the honor to lay them before The King.

12th January 1800.
12th Do. Do.
8th February Do.
8th Do. Do.
One without Date.
29th March 1800,
Private.

With respect to the disturbances which broke out at Graaff Reinets, there can be no doubt that their origin is in a great degree to be attributed to the cruel and oppressive treatment of the

Hottentots, Caffres, and Natives by the White Inhabitants. Considering the extent of Country over which the latter are dispersed, the rude and uncultivated state in which they have hitherto lived, and the wild notions of Independence which prevail among them, I am afraid that any attempts to introduce Civilization and a strict Administration of Justice will be slow in their

progress, and likely, if not proceeded upon with caution and management, rather to create a spirit of resistance or a disposition to migrate still further from the seat of Government than to answer the beneficent views in which they might be undertaken. In fact it appears to me that the proper system of Policy to observe towards these Persons would be to interfere as little as possible in their domestic Concerns and interior oeconomy, and to consider them rather as distant Tribes dependent upon His Majesty's Government than as Subjects necessarily amenable to all the laws and Regulations established within the immediate Precincts of that Government. The mutual advantages arising from Barter and Commercial Intercourse ought to be the great link of Connexion between them and Us; and by a strict adherence to good faith and justice in all the relations which may result from such Intercourse, joined to an efficient protection and occasional Acts of kindness on the part of Government I conceive we shall more effectually ensure to ourselves their attachment and the benefits to be derived from it, and to them a state of gradually improving comfort and Civilization than by any hasty attempt to substitute our Laws and Customs to the Institutions and Habits, however imperfect and barbarous in some respects, under which they have hitherto lived. Whilst I feel satisfied that this line of conduct will be the most proper as a system of Policy towards these Persons, I entirely agree with you that to ensure due respect and fidelity on their part to the British Government, an imposing military Force is essential; and for this, as well as for many other reasons, it will afford me great satisfaction to learn that the two fine Regiments which have been sent from this Country are arrived safe at the Cape.

On the subject of Mr. Vermaak who was sent to England as a State Prisoner, I have no doubt that he really is the disaffected Person you represent him to be; and it appears to me not improbable that he may have been guilty of some Acts of Treason against His Majesty's Government; but I must observe that the mode of proceeding against him appears to me to have been, on the one hand, arbitrary, to an unnecessary degree, and on the other, precisely that which was most likely to defeat the Ends of Public Justice and Public Example. At the Cape Facts were alledged against him, and Evidence existed upon which he might have been arraigned and brought to Trial before the Courts

existing there. Instead of this, he is sent to be dealt with according to Law in England, where the Laws could not reach him; where, if they could, no Witnesses or Evidence could be produced and substantiated, and where he had a right immediately to claim the benefit of the Habeas Corpus. The consequence is that Vermaak is necessarily released; having, if innocent, a right to complain that he was harshly driven from the Cape and his Property without any judicial investigation there, and if guilty, (as I own there appears strong ground to presume he was) the Public Interest at the Cape suffers by his removal, both in the administration of Justice and in the example of the Punishment which, in that case, he ought to have suffered. I do not wish by these observations on what I conceive was a mistaken conduct on the part of General Fraser in this case to abridge the Power given to you by the 29th Article of your Instructions to send away disaffected Persons from the Settlement; but it is a Power not to be recurred to for offences cognizable in the Courts there.

It is certainly right that you should possess such authority, as a precaution against Adventurers and Strangers coming to settle at the Cape, but it should not be put in force against the Natives or Inhabitants who have been long established there, unless under very peculiar and delicate circumstances, which cannot frequently occur. I have only to add that Mr. Vermaak, before he was set at liberty, was informed that in case of his Return to the Cape he would be proceeded against criminally and with the utmost rigour. I have therefore reason to believe that he has no such Intention.

Considering Banishment from the Settlement as a mode of Punishment to be awarded by the Tribunals there in certain cases, I certainly approve of the mode suggested by you for carrying such sentence into execution by sending the Persons condemned to Botany Bay, but no Person is to be liable to this Sentence except it should be the result of a regular Trial in some competent criminal Court established within the Settlement.

I cannot help, by this opportunity, repeating what I have already remarked to you on a former occasion: that your Predecessor is very far from deserving the blame you appear to impute to his administration on account of the state of the Barracks, the Pier and the Public Buildings at Cape Town. During his Government he represented, as became his duty, that they were not in good

condition, and that it would require a considerable Sum to put them in complete repair ; but that at a much less expence they might be kept in a serviceable situation during the War. The latter mode of proceeding was approved of, and I have reason to believe followed, it being the wish of His Majesty's Government (in which it was properly seconded by Lord Macartney's very laudable attention to economy and to the letter of his Instructions) to avoid as much as possible running into expence for the Public Establishments and Buildings of the Settlement, until it should be finally ceded to this Country by the restoration of Peace. If this was a wrong view of the subject, the fault rests, not with Lord Macartney, but with me ; and your candour must allow me to add that, right or wrong, it ought not to have been altered without reference to me, and without fresh Instructions and authority from home. Whilst I am upon this subject, I must frankly observe to you that you appear to have mistaken the nature of your situation and of your Commission, and the extent to which the Power you derive from them is limited, as well by the general regulations which apply to all civil Governments abroad, as by the specific Instructions which you received with your Commission. Under those Regulations and Instructions you were not at liberty to authorize or order any extraordinary expence, either in erecting new Buildings or making any extensive alterations or repairs in those now existing, without consulting with the Chief Engineer in the Colony, whose Plan, with an Estimate and Report should have been sent home for consideration and approbation, before any steps were taken for carrying it into effect. In like manner, every other case of extraordinary Expence should, in the first instance, have been submitted to His Majesty's Consideration, with the grounds on which it was proposed, before it had been incurred. In this respect I am afraid that you are so far from having properly understood the line of conduct it was expected you would observe, that several extraordinary issues of Public Money from the Civil Revenue of the Colony have, I have reason to apprehend, been made not only without any previous approbation from home, but even without any subsequent Report being made, or notice taken of them in your Correspondence with me or the other branches of His Majesty's Government. Of this nature several instances have been mentioned to me, of which I have not the least intimation from yourself. At present I shall only advert to

one or two. I have heard that an allowance of fifteen hundred Pounds has been made by your authority to Brigadier General Fraser, being six months Salary as Lieutenant Governor, to which you conceived him entitled as Commanding Officer at Cape Town during the absence of Lieutenant General Dundas, then up the Country. I am far from making any reflection upon the merits of General Fraser's conduct during the absence of the Lieutenant Governor from the actual Seat of Government, but I must observe that the Lieutenant Governor's Salary depends upon His Majesty's Commission and not upon the favor of the Governor, that without holding His Majesty's Commission no right to such allowance could be acquired by Brigadier General Fraser, that granting the allowance of Lieutenant Governor to a second Person, merely because the Person who holds that office was absent from the Seat of Government, though still within the Colony, is inadmissible in every respect, and would create a most dangerous Precedent. Had the Lieutenant Governor even been absent or dead, such a proceeding, though less open to objection, in that case would have exceeded the bounds of your authority, nor does it afford any justification of the measure that the Lieutenant Governor during this period was holding the vacant situation of Governor. In short nothing could authorize the issue of this sum but a Commission or Warrant from His Majesty to the Person receiving it; and on these grounds I apprehend it will certainly be disallowed in your Accounts whenever they are submitted to the Auditors of Public Accounts.

In like manner Report has informed me of several new offices being created or revived, among which I shall mention that of Under Secretary to the Settlement. This office was abolished by Lord Macartney as unnecessary, and the revival of it is not likely to meet with His Majesty's approbation; but what I have principally to observe, in alluding to it, is that you are not founded in creating any new office without His Majesty's consent previously signified, and that should such consent be obtained (which in many instances I apprehend it would not) it would still be in His Majesty's option to name the Person by whom such office should be held, or graciously to leave it to your recommendation.

Another subject which I cannot altogether omit to notice is your projected formation of a Botanical Garden at the Cape,

upon a scale which from its magnitude must necessarily involve a considerable expence. Perhaps for many reasons the Cape may be considered as a proper spot for the encouragement of Botany, but in the present situation of that Colony, and during the expensive and protracted War on the issue of which its fate depends, my opinion is that it is more expedient and judicious to confine ourselves to maintain the Botanical Garden upon the footing it has hitherto been, than to engage in the extensive and speculative Enterprize to which I now allude; but whether this opinion is well or ill founded is a matter of indifference with respect to the Principles which ought to govern your Proceedings in the exercise of the delegated authority you have received from His Majesty; and as I have already explained the nature of it, I shall now take leave of this unpleasant subject by declaring to you that it is not less inconsistent with that Principle and the Responsibility arising out of it, than directly contrary to your Instructions, to create new Civil Offices or to embark in any Enterprize involving a considerable expence, either in the shape of a new Establishment or new Works and Buildings, or of material alterations in those now existing (except in cases of real emergency or urgent necessity) without having previously obtained His Majesty's Consent and Approbation through the proper Department at home. I should have been enabled to have written to you with some precision upon these subjects, if they had been at all adverted to in any of the Reports I have hitherto received from you, or if I had been furnished, as I expected, in conformity to the practice established in the Government of the Cape, with Monthly and Quarterly Accounts of the Civil Revenue and Expenditure of that Settlement. No such Accounts have reached me since your arrival there, and I am consequently at a loss to know what have been the increased Charges upon the Civil Revenue during your Government, or to form any specific opinion as to the propriety of the several services or appointments for which they have been incurred; but speaking generally and from report, it certainly appears to me that some, from their nature, are not likely to be allowed.

The Proclamation issued by you on the 3rd of February last, relative to the disposal of prize Goods brought into the Cape, meets with His Majesty's entire approbation. It is not necessary to advert in detail to the other orders and Proclamations you

have issued. In general they appear to have been expedient and proper. Observing however that some of them tend to impose new burthens at the Cape, I must just remark that the power vested in you of ordering and levying new Taxes is one which should be used with great caution and delicacy, not only on account of the effects it may have on the Industry and public Temper of the Colony, but also with a reference to the Taxes now existing, which may be rendered less productive if those that are superadded are not so combined as not to interfere with the former.

With respect to sending supplies of Coals to the Cape, the Price of Freight is so enormous as to make it desirable that fuel for the public Service should if possible be procured from Algoa Bay, where I understand there is wood in abundance, or from some other point.

No Instructions can be given to the Ordnance for Stores until a specific Return is received from you, signed by the respective commanding officers in the Artillery and Engineers Departments, of the particular Articles wanted by them for the public Service.

I am afraid the arrangements you have made for the Establishment of a Barrack Office at the Cape are not consistent with His Majesty's Regulations upon this Head; but upon this branch of the public Service I can only refer you to the Secretary at War and His Royal Highness the Commander in Chief, with whom, jointly with the Barrack Master General, it rests to determine upon these points.

With respect to the Colonial Investment alluded to in your correspondence, I must observe that it was not required by Lord Macartney or sent out from hence in any view of deriving a profit from it to the Colonial Revenues, but solely to ensure a supply of the necessary articles composing that assortment, at a moment when the speculations of private adventurers were by no means equal to the increased consumption of the Settlement. Owing to the delay unfortunately occasioned by untoward circumstances in the departure of that Investment from England, this state of affairs was entirely changed on its arrival at the Cape, where, the Market being then overstocked, many of the articles were no longer saleable. Upon the whole I am decidedly of opinion that it was a proper mode of relieving the Colony at the moment the demand was made by Lord Macartney, but that the

care of supplying it hereafter with all articles of European goods and produce should be left to private speculations.

The proper Administration of Justice is of so much Importance to the prosperity of the Colony and the Welfare of its Inhabitants that I observe with satisfaction that you are engaged with the Fiscal in preparing a plan for remedying the defects now existing in this Branch of the public Service; and I entirely approve of your suggestion that two members of the supreme Court should make an Annual Circuit to correct abuses and to report to Government the Condition of the Colony.

I entirely concur in all your Sentiments respecting the paramount importance of the Cape to this Country, and I can assure you it is by them that any advice I may think it my duty to submit to His Majesty, or any opinion I may state, will be uniformly governed.

[Original.]

Letter from VICE ADMIRAL CURTIS to EVAN NEPEAN, ESQRE.

*Jupiter, SIMONS BAY,
CAPE OF GOOD HOPE, 6th August 1800.*

SIR,—. . . The *Tremendous* returned from her Cruise on the 29th of the last Month, having been Forty days at Sea, and seen nothing but an American Ship bound to the East Indies. She Cruized between the Latitudes of 35° 30' and 38° 30' S., and the Longitudes of 22° and 29° East, and met with dreadful Weather the whole time she was out. Her Foremast was Sprung, but has been made secure again without having been taken out, and she carried away a Topmast and two Topsail Yards, and received much damage in her Sails. Her Hull is greatly strained, and many Bolts in her Hanging Knees broke, which we are securing again by additional Bolts. Not having a Frigate on the Station, and my Squadron reduced so low in numbers, I shall soon want the *Tremendous* to relieve the *Diomedé*, and I am therefore obliged to defer making such reparation as we may be able to the *Jupiter*, until the *Tremendous* is ready for Sea.

From the French having adopted the measure of again having

a Squadron of Frigates at the Mauritius, their Lordships will perceive the expediency of my having constantly (were it possible) a suitable Force off that Island ; but their Lordships will also see, it is not in my power so to do : not only from the present appointment of my Squadron, but from the smallness of its number ; for such is the distance from this place to the Mauritius, that the Enemy's Ships attached to it, cannot be effectually watched from hence, unless I had ships enough to form into Three Reliefs, each of which to be of adequate force to the Enemy, who besides the Three Frigates from Rio da Plata, may probably have also the Frigate and Brigs supposed to be sailed from St. Maloes, exclusive of some Privateers from 20 to 30 Guns. Their Lordships however may be assured the Force under my Orders shall be employed in the manner which to the best of my Judgement shall be the most for His Majesty's Service. . . . I am &c.

(Signed) ROGER CURTIS.

[Original.]

Return of the Ships of the Squadron at the Cape of Good Hope on the 6th August 1800.

Diomedé, Cruizing.

Lancaster,

Adamant,

Rattlesnake,

Euphrosyne Brig,)

Cruizing off the Mauritius.

Jupiter, Bearing my Flag, Refitting in Simons Bay.

Star, In Simons Bay Refitting.

Tremendous, In preparation to relieve the Diomedé.

(Signed) ROGER CURTIS.

[Office Copy.]

Letter from the WAR OFFICE to MAJOR GENERAL DUNDAS.

DOWNING STREET, 7th August 1800.

SIR,—I have received and have had the honor to lay before the King your letters of the 4th and 21st of March last, together with the several Inclosures by which they were accompanied.

The explanation you have given in the first of these letters, on the subject of the Claim of the Captors of the Cape, to a sum of money, arising from a Sale of Corn in the Public Granary at the surrender of the Colony, is perfectly satisfactory; and I am commanded to signify to you His Majesty's approbation of your having directed the said Sum to be repaid to the Prize Agent for the benefit of the Captors.

I have great satisfaction in conveying to you His Majesty's approbation of the whole of your Conduct during the period in which the Administration of the Colony of the Cape remained in your hands, and particularly of the zeal and Activity which marked your proceedings in putting an end to the troublesome and dangerous insurrection in the District of Graaff Reinett. I hope that the arrival of the powerful Reinforcement sent to the Cape, and the prudent and conciliating measures which the Governor will be instructed to observe towards the Inhabitants of that distant Territory, will have the effect of maintaining tranquillity and peace.

Whenever the Exigencies of the Public Service may render the assistance of an additional Aid de Camp essential to you, as commanding His Majesty's Troops, I certainly should not be disposed to object to the usual Allowances of such an appointment being defrayed out of the Revenues of the Colony, but unless the duties of such an appointment are actually required and performed, I cannot feel myself warranted to approve of the Expence being incurred.

[Original.]

Letter from SIR GEORGE YONGE *to the* RIGHT HONOURABLE
HENRY DUNDAS.

CAPE TOWN, August 12, 1800.

SIR,—I take the Opportunity of a private Conveyance to Inform you of the arrival of the 22nd and 34th Regiments in a wretched Sickly State owing to the most Shamefull want of Care and attention in fitting out the Ships for their Reception and their having Sickly Crews on Board which of Course Seized the Troops, and many Lives were lost. The Utmost Care has been taken of them on their arrival, & thank God most of those who survived are recovered, but the Regiments are much weakened, and they are rather a Disappointment than a Reinforcement. This is the more mortifying, not only because they have been so long expected to supply the Draft taken from this garrison for India, but Because by this means, the Garrison Is still Short of the often promised permanent Strength of 4000 men, so Indispensibly necessary for the Protection of this Colony, which Government assured us We might always depend upon. This makes me think It my duty to express again my wish for, at least, another Regiment of Cavalry, because this will be of Principal Service, rather than Infantry, from the Nature of the Duty required, and the still unsettled state of the Interior, owing to the Incurable Fickleness and restless Disposition of the Caffres & Hottentots, for which Service on account of the Distance Cavalry is peculiarly usefull. I took the liberty soon after my arrival humbly to request H.R.H. The Duke of York that such a Regiment might be spared if the Measure was approved of by Government as would suit this kind of Service, and I have now to entreat your Interest to gett this Done, I need not add that this Reinforcement is not the less desireable on account of the orders which the Admiral has lately received, in Consequence of which he has sent out all his Squadron, on a Cruze, so that now we have no naval Force at home to Protect us, should the Enemy Plan any attempt on this Colony. All these Circumstances leave me not without anxiety, though In every other Respect the Colony is in a most prosperous State, and Its Inestimable Value grows every day more and more apparent, and every encourage-

ment being given to the Industry of the Inhabitants, there is reason to hope the happiest effects from It, and that Its Inexhaustible Resources will more and more appear, and the Benefit of them be soon felt. I have &c.

(Signed) GEO. YONGE.

[Copy.]

Proclamation by SIR GEORGE YONGE, BARONET, &c.

Whereas it appears upon enquiry that no alteration has hitherto been made in the levying and collecting of the Tithes upon the produce of the Colony, and that notwithstanding the price of every article is considerably increased since the Surrender of the Colony to His Majesty's Arms, yet the Tithes have been paid in proportion to the prices fixed by the Dutch East India Company, much to the prejudice of His Majesty's Revenues; I do therefore order and direct, and it is hereby ordered and directed, that henceforth the Tithes upon every produce of the Colony subject to that duty shall be levied and collected by the person appointed for that purpose, in proportion to the Market prices of the Town, with this exception however that every Article delivered to Government, the Tithes shall be levied in proportion to the price paid by Government.

And whereas it moreover appears that there is no difference in the mode of paying the duty upon Wine and Brandy coming from the Country to Town, and that notwithstanding the Brandy produces double the price of Wine, an equal duty of Three Rix-dollars is levied upon a leager of Wine & Brandy, I do hereby authorize the Collector of the Tithes henceforth to levy a duty of Six Rixdollars upon every leager of Brandy coming to Town, instead of Three Rixdollars which is to continue to be paid upon a leager of Wine.

And in order to prevent the Farmers defrauding Government of its just duties, the Collector of the Tithes is hereby authorized to open and examine every bag or Leager previous to his receiving the Duties thereon and allowing the Waggon to pass to Cape Town.

And in order that these my Commands may be made as public

as possible, I do further direct that Copies thereof shall be printed and stuck up at the usual places in the Colony, and that each Veld Wagmeester shall be supplied with a Copy by their respective Landdrosts.

Given under my Hand & Seal at the Castle of Good Hope this 14th day of August 1800.

(Signed) GEO. YONGE.

[Copy.]

Proclamation by SIR GEORGE YONGE, BARONET, &c.

Whereas the Amelioration and Improvement of the Wines of this Colony is a Matter of the highest Importance and Benefit, not only to the Inhabitants in general, but likewise to the Troops in Garrison and to the Crews of His Majesty's Ships on this Station, as well as to all others that occasionally touch here for Provision and Refreshment, I have therefore judged it Expedient and proper, by Virtue of the powers and authorities in me vested, to appoint Richard Blake, Esqr., Chief Taster and Examiner of all Wines and Brandy, and other Spirituous Liquors, either made in, or imported into this Colony, and Arend de Waal, Esqr., Deputy Taster and Examiner of the same, with full powers and Authorities to enter into, taste and Examine the same in any Cellar, Warehouse, Public House, or any place whatsoever, where Wines and Brandy, or other Liquors as aforesaid, are Sold, either Wholesale or Retail; and if after having tasted the said Wine or Brandy, or other Liquors, the same shall be found of an improper Quality to be vended, they shall be at liberty to destroy it; and any Person or Persons attempting to Sell such improper Liquors shall upon Conviction be liable to pay a Penalty of One Hundred Rixdollars for every aum thereof found in his or their possession. And further, in order effectually to prevent any Wine or Brandy, or other Liquors of an improper Quality, being brought into Cape Town, I do hereby empower the said Richard Blake, Esqr., or his Deputy, to stop all Waggons bringing Wine or Brandy to Town, and to open and taste the said Wine or Brandy, or other Liquors; and if found Sour, or of an improper Quality for Consumption, to report the same, and to prevent its passing into Town, and any

Person or Persons refusing to obey these my Positive Orders and Commands, or attempting to hinder or impede the aforesaid Officers in the Execution of their Duty, shall upon Conviction pay a penalty of One Hundred Rixdollars.

Given under my Hand & Seal at the Castle of Good Hope this 14th Day of August 1800.

(Signed) GEO. YONGE.

[Copy.]

*Extracts from a Report of the COMMISSIONERS MAYNIER and
SOMERVILLE to SIR GEORGE YONGE.*

14th of August 1800.

We sent a Messenger to Guyka charged with the following distinct Message, & he was positively ordered to have no Communication with the Rebels, but to go directly to Guyka himself & to inform him that these Rebels had come to this Colony, threatening us with War & Invasion *in Guyka's name*, & to complain of these Rebels to Guyka. Our Messenger returned, & the Result but too well proves that the Precautions we had used were well founded, for Guyka's answer is this: That he rejoiced that Peace was proposed, & he expressed his regret that some of his Caffres had committed some Thefts, & he had no Objection to our punishing them, but he would enter into no Treaty without the Rebel Buys, and he wished to see Somerville, the second Commissioner, and William, the son of Klaas Prinslo, our Messenger might return with him. But the Principal Grounds on which *he would consent to make Peace must be the Release of the Prisoners confined in the Castle* who he said were *his Allies*, & without this he could have no Faith in any Peace. That he trusted this Demand made in a friendly manner would be acceded to as a peremptory Demand, & that no Presents of whatever Value would be received *without the Release of the Prisoners*, & that upon this as a Basis he expected to have Peace confirmed. It was upon this Answer, ascertaining the Truth of the Reports we had received, that we resolved on collecting the Militia & calling for Reinforcements, but still without breaking with Guyka if it can possibly be avoided.

We are now but too well acquainted with the only Ground on which Guyka is disposed to make Peace, viz. *the Release of the Prisoners in safety*, & as the Absurdity & Indignity of such a Demand must be resisted with Firmness, your Commissioners are prepared to do it, should Guyka persist in his demand. By the above statement we hope we have justified ourselves in having demanded the Force we have assembled.

15th of August.

Examination of Christopher Botha, one of the fugitive Rebels, taken Prisoner & brought to the Drostdy of Graaff Reinet;

Who, being questioned, confessed that the Object of his & Buys's last Incursion into the Colony was to drive the English out of the Colony. That they made no Secret of it, but published it to several Boers, & that the Expedition was undertaken by the Command of Guyka. That Frans Kruger was to be General, and Corn. Faber second in Command. That De Beer was the third, Fred was to be Fourth, and Buys was to be Sovereign. That the Expedition advanced as far as Baviaans River, but they were beat back by a Caffre Chief who was independent of Guyka, named Kango, who said he would not have the Peace disturbed.

That the Plan was to seize the Commissioners & carry them into Caffreland, & there treat them exactly as the English should treat the Boers confined in the Castle. That many Stratagems were planning to seize the Commissioners for this Purpose, and that the Invitation from Guyka for them to come & meet him in Caffreland was for this Purpose, and that Guyka was very near tempted to murder the Commissioners when they went to meet him in December 1799.

[Copy of translation.]

Criminal Claim and Conclusion made and demanded by the Fiscal versus Marthinus Prinslo and his Accomplices.

Appeared before the Worshipful President & Members of the Court of Justice of this Government, The Fiscal Willem

Stephanus van Ryneveld *Ratione Officio* Prosecutor in Criminal cases, *versus*

1. Marthinus Prinslo
2. Adriaan van Jaarsveld Senior
3. Theunis Botha
4. Gert Hendrik Rautenbach
5. Barend Jacobus Bester
6. Jean Isaak Bonté
7. Petrus Frederick Rautenbach
8. Godlieb Ertman Christiaan Koch
9. Gerhardus Scheepers
10. Pieter Ignatius van Kamer
11. Lucas Meyer
12. Zacharias Albertus van Jaarsveld
13. Willem Grobbelaar
14. Jacob Johannes Kruger
15. Willem Venter
16. Paul Venter
17. Gerrit Botha
- and
18. Johan Kruger Senior

All prisoners of Justice, and summoned in the said Case.

Art. 1. And did in support of his Criminal Claim and Conclusion alledge (2) That the second prisoner Adriaan van Jaarsveld, being indebted to the Orphan Chamber a Capital of 10,000 Guilders Indian value, (3) on special Mortgage of the Building of his Loan Land called *de Vrede*, situated at the Nieuwe Velds Berg, (4) suffered the Interest thereof during several years since 1790 to run in arrears, (5) which caused the Board of the Orphan Chamber to give him warning for the repayment of the said Capital.

(6) That the said second prisoner coming in the interim to Cape Town (7) paid into the hands of proctor Bernhardus de Vaal as Attorney to the said Board, the Interest up to the 31st of December 1791, (8) amounting to Rds. 441, (9) for which he received a regular Receipt on the 16th April 1794, (10) with which he departed to his home.

(11) That afterwards when the Judicial Messenger of Graaff Reinet Gustaaf Erling on the 30th of March 1798 served upon the

said second prisoner summons for the repayment of the aforesaid Capital, with the Interest due, agreeable to the Sentence of the Court of Justice, (12) the said prisoner answered the said messenger (13) that he did not owe so much for Interest as was stated in the Sentence, (14) for he had paid the same up to the 31st of December 1794 (15) and delivered to the said Messenger the aforesaid Receipt in evidence thereof.

(16) That this Receipt, being examined, very clearly appeared to have been falsified, (17) by altering the last figure 1 of the year 1791, (18) to which period the Interest was therein stated to have been paid, (19) into 4, and thus forming 1794 out of 1791, (20) *vide* the Receipt itself, hereunto subjoined under the Letter C No. 2, (21) which forgery further most clearly appeared (22) when at the requisition of the Deputy Fiscal Petrus Diemel, (23) acting for the Landdrost of Graaff Reinet in Criminal Suits, (24) the Commissioners of this Court (25) examined the account, kept in the Orphan Chamber, of interest in arrears and capitals, (26) together with the accounts kept by the said de Vaal as Attorney to the said Orphan Chamber, (27) from which the said Commissioners were perfectly satisfied (28) that the Interest had actually been paid only up to the 31st of December 1791.

(29) Wherefore the said Deputy Fiscal applied to the Court of Justice by petition, (30) requesting a warrant, which he obtained by a Decree of the 31st of May 1798 per Letter sealed with the Great Seal of the Court, (31) by which warrant the second prisoner was summoned *personally* to appear before the Court of Justice within the space of Six Months, (32) allowing this term on account of his dwelling in so remote a part of the Colony, (33) in order to hear such demand and Motion (34) as the said Deputy Fiscal, in the name of the Landdrost of Graaff Reinet, (35) should make against the said second prisoner, in regard of the aforesaid Fraud, and to answer thereto, and further to proceed according to Law.

(36) That altho' the second prisoner promised the said Messenger when he served the aforesaid summons, *vide* his Report, (37) that he would appear on the day (the 29th of November 1798) and place appointed, (38) yet when the cause was regularly enrolled on the said 29th of November 1798, he did not appear.

(39) Wherefore your Worships, in consequence of the default, (40) agreeable to the 53rd article of the Ordinance respecting the mode of proceeding in Criminal Cases, (41) decreed *prise de Corps*

on the summoned Adriaan van Jaarsveld, (42) which decree was transmitted to the Landdrost of Graaff Reinet Frans Reynhard Bresler to be duly executed on the said second prisoner.

(43) That the said Landdrost having received this Decree, caused the second prisoner to be summoned by the Judicial Messenger of Graaff Reinet, to appear before him on the 17th of January 1799, and being arrived, made the Secretary read the same to him, (44) whereupon the second prisoner answered in substance (45) Sir, I am afraid this will cause a disturbance among the people, (46) and was put under arrest in one of the Rooms of the Landdrost's House, (47) in order to be escorted the ensuing day to the Cape.

(48) That the said Landdrost having already received intelligence (49) that, especially behind Bruintjes Hoogte and also near Zwartkops River, some of the Inhabitants intended to commit irregularities, (50) and having more than once been eye and ear witness to the motions of revolt that were made in the District of Graaff Reinet, (51) in which transactions the two first mentioned prisoners particularly signalized themselves, (52) and as the aforesaid pointed answer confirmed him in his belief of the said intelligence, (53) he thought proper to take some additional precaution in sending the second prisoner up to Cape Town.

(54) He therefore not only gave the second prisoner in charge of a Sergeant and two Dragoons, (55) who the ensuing day escorted him in a waggon belonging to Secretary Oertel, who himself departed for Cape Town, (56) but also upon his being on the 19th January informed of a Report (57) that the second prisoner was to be rescued by some of the Inhabitants of Graaff Reinet, (58) immediately despatched the Corporal and four Dragoons, forming the remaining part of the Detachment stationed at the Drostdy, to follow the waggon of the said Secretary Oertel (59) in order to attend the Sergeant as far as the place called the Poort.

(60) That moreover the Landdrost, on the 20th of January after divine Service, (61) caused the Bells to be rung, and communicated to the Inhabitants assembled the reason why the second prisoner had been apprehended and sent to the Cape, (62) exhorting them to conduct themselves in a peaceable manner, and to forbear opposing the Commands of those that were charged with the administration of Justice.

(63) That the said Corporal and his four Men who had been detached returned on the 21st of the said Month to the Drostdy (64) with a Letter from Secretary Oertel, reporting all was well, and that he therefore sent these Men back.

(65) That in the mean while the first prisoner Marthinus Prinslo, (66) who dwells behind Bruintjes Hoogte, (67) having heard of the apprehension of the second prisoner, and that he was sent towards the Cape, (68) immediately Commanded a body of Men to arm themselves, and provided with powder and Balls to assemble (69) in order to rescue the second prisoner.

(70) That these Men accordingly repaired unto, and assembled at, the Farms of Jacob and Carel Erasmus, under the Command of the first prisoner, (71) who likewise departed, armed for the said purpose, in the night between the 19th and 20th January from his Farm.

(72) That the first prisoner at the head of this Band, (73) among whom were 11th, 14th, 15th, and 16th Prisoners, (74) overtaking the waggon of Secretary Oertel on the 21st of January, (75) halted at a distance of about 100 paces, (76) and dispatched Pieter Erasmus and Barend de Klerk to demand the second prisoner from those who had him in charge.

(77) That these said persons accordingly approached the waggon, and executed this Commission, (78) adding that if they did not voluntarily deliver up Van Jaarsveld, (79) he would be rescued by violent and bloody means.

(80) That these persons' demand having been refused, (81) to which the Sergeant added (82) he was ordered not to deliver the second prisoner, and in case of his being attempted to be violently rescued, to blow his brains out, and defend himself as long as he could, (83) they returned to the first prisoner, reporting to him what answer they had received.

(84) That hereupon the first prisoner, accompanied by his Men, approached the waggon and repeated his demand, (85) threatening that, in case of a refusal, he would employ violence, and that in that case bloodshed would ensue.

(86) That altho' Secretary Oertel represented to the first prisoner and his Men (87) the bad consequences their conduct would draw upon themselves, (88) assuring them (89) that van Jaarsveld was sent to the Cape, not on account of what formerly happened at Graaff Reinet, (90) but because he had falsified a Receipt, (91) and

at the same time exhorting them (92) to suffer him to proceed, in order to clear himself of that accusation, &c., (93) the first prisoner however repeated his demand, (94) saying in addition to it (95) 130 Men were in readiness behind the hill, who had sent him, (96) further in substance adding (97) there is a second Matter which has already reached the long kloof, and which will break out on the first opportunity.

(98) That the Sergeant, altho' he showed himself unwilling to deliver up the said Van Jaarsveld, (99) at last, on being threatened and asked for the prisoner the third time, (100) took Secretary Oertel aside, saying to him (101) that he was ready to obey his orders, but that his force was too weak, (102) so that they thought it advisable for them to deliver the second prisoner to the first and his armed Band, (103) which they actually did, (104) the second prisoner then saying unto the Men (105) Men, you had better let me go, you render both me and yourselves unfortunate.

(106) That hereupon the second prisoner with the first prisoner and his Men did thence depart, (107) and went first to the Farm of Dirk van den Bergh, (108) from whence the second prisoner at the request of the first wrote to Barend Burgers a Letter, (109) in which he acquainted him that the second prisoner had been rescued, (110) requiring him at the same time to come to them, (111) and mentioning a Letter which was also sent to the said Burgers, (112) in which *the great intention that had already operated before would appear*, (113) with this addition (114) "we shall expect your speedy arrival at Graaff Reinnet in order to assist the good intended Decree of the Council with your Judgment; *Malta*, that impregnable place, has been taken some months ago by the National Convention; Bengal and Ceylon shared the same fate. Salute, &c."

(115) That on the same day the hereunto subjoined note marked L^a N was wrote, (116) by which some Men were commanded, in the name of *the voice of the people*, to be present at the place of P. Rautenbach the seventh Prisoner on the 25th of January, with arms and Ball Cartridges, (117) that the writer of the said requisitory note has not however been discovered.

(118) That after the third prisoner had also headed some armed Men, and rode to the River of Graaff Reinnet, (119) the first and second and some of the other prisoners, accompanied by upwards

of 100 Men mostly armed, proceeded to the place that is called the Second Drift, situated near the Drostdy of Graaff Reinet.

(120) That both the transaction respecting the second prisoner and the appearance of so many armed people induced the Landdrost & Heemraden, (121) not having a sufficient force then at hand for opposing the first Prisoner and his Band, (122) to resolve to shew as much compliance as they possibly could, (123) in order to calm the minds of the multitude, (124) at the same time patiently expecting the necessary assistance from Cape Town (125) in order to quell the insurrection and reestablish good order in the District.

(126) That, pursuant to this disposition, they resolved to dispatch the Heemraden Hermanus Olivier and Andries Adriaan Smit to the assembled multitude, (127) in order to enquire into the nature of their proceedings. (128) That having repaired thither, they received for answer that the Men had assembled there to ask for what reason Van Jaarsveld had been apprehended and sent away, and at the same time to make some reasonable requests.

(129) That hereupon the first prisoner, attended by three other persons, appeared in the Meeting of the Landdrost & Heemraden, and notified (130) that the discontent of the Inhabitants proceeded from the apprehension and sending away of the second prisoner,—without first hearing him,—(131) on account of the former disturbances at Graaff Reinet, (132) and that they feared the same might happen to others also, &c.

(133) That altho' the Landdrost assured the first prisoner again (134) that Van Jaarsveld had been sent to the Cape for no other reason but for his having falsified a Receipt, and this transportation would have been effected by a Judicial decree, (135) they nevertheless insisted on his being provisionally released on Bail.

(136) That at the same time, particularly the first prisoner in the name of some Inhabitants, requested to make a representation to Government (137) viz. that the Inhabitants dwelling nearest the Groot Vis River might be allowed to drive their Cattle into Caffraria.

(138) That during the Landdrost & Heemraden's deliberations on the subject, the Landdrost perceived (139) that several **Inhabitants** of Sneeuwbergen were withdrawing to their homes, (140) so that after the Session was terminated, there remained no more

than about 30 persons of the Insurgents, who were Commanded by the first prisoner, (141) with which number it seems their Commander did not think it proper to undertake any thing further.

(142) That in the mean while the Landdrost & Heemraden caused a Copy to be given to the first prisoner, at his desire, of the hereunto annexed Letter sub L^a H No. 1, (143) which they had resolved to send to Government relative to the second prisoner, and the proposal made by the first prisoner respecting the plans on the other side of Groot Vis River.

(144) That the first prisoner quitted the Second Drift of the Drostdy, with the remaining part of his Band, the ensuing day, and all of them being returned to their several homes, (145) he held a second meeting at his Farm the 28th January with the 4th, 5th, and 7th Prisoners and several other persons, (146) among whom was Jan Botha and Coenraad de Buys, (147) the latter of whom had absconded from this Colony in the Dutch time, (148) residing ever since like a Vagabond among the Caffers on the other side of Groot Vis River, (149) where he kept a Caffer woman for his wife, agreeable to the custom of that nation, (150) by whom he had several Children, (151) for which reason the present Government would not admit him into this Settlement, (152) but considered him as an Outlaw and Vagrant.

(153) Notwithstanding which it evidently appears both from the Confession of the 4th, 5th, 6th, 7th, and 14th Prisoners, and different circumstances, (154) that the said Coenraad de Buys received intelligence from the first prisoner of what had happened respecting Van Jaarsveld, (155) and that he thereupon left Caffraria and came to his place.

(156) That at that time and place they resolved,—(157) for which purpose it appears that more than a month previous to the transaction with Van Jaarsveld the first or chief Ringleaders of the Mutineers had agreed together,—(158) to renew the former Graaff Reinets Patriotism, (159) by which some of the prisoners meant (160) to Conquer the District of Graaff Reinets by the Assistance of the Caffers, (161) others, to surprize the other District, in short to retake the Cape, as they called it, (162) and again others, to carry off the Landdrost of Graaff Reinets and his Family from the Drostdy.

(163) That the aforesaid Assembly wrote, read and sent off the

Letter hereunto annexed sub No. 1 (164) addressed *to our good natured and faithful Co-Inhabitant A. P. van der Walt*, (165) signed *the General Voice of the People*.

(166) That among other things there was signified by the said Letter (167) that the plan of the people in general at the Gamtous River, Zwartkops River, and the Bosjesmans River, was to retake the Colony, &c.

(168) That after this both the said Coenraad de Buys and the first prisoner dispatched several circular Letters Commanding people to arm, (169) to be present at Graaff Reinet provided with ammunition on the 12th of February following, (170) and some of the principal Insurgents repaired unto the Farm of Jan Bosch, situated at the distance of some hours riding from the Drostdy, two days previous to the appointed time, viz. the 10th of February, (171) in order to see whether the number of Men would be sufficient to execute the plan they had concerted.

(172) That there the said Coenraad de Buys, the first and second prisoner, Jan Botha and Jan Bosch held a Meeting in which they resolved to deliver the Landdrost into the hands of Coenraad de Buys.

(173) That the prisoners apparently both from fear of the Field Commandant Hendrik Janzen van Rensburg, and the Field Cornet Thomas Dreyer, and some others (174) who faithfully adhered to their duty and shewed quite opposite sentiments (175) by not only refusing to combine with the prisoners, (176) but also even reporting to the Landdrost what happened in their Districts, (177) and from their finding their Circular Letters procured them but few people, (178) agreed to postpone the execution of their plan to the 17th February, (179) and order the Inhabitants of the Zwagershoek also to assemble for that purpose.

(180) There is among the papers annexed to these presents an Original Letter marked L^a R then written by the 8th prisoner, and signed *the Voice of the people*, (181) by which the Burghers of Zwagershoek were required to appear armed on the aforesaid date at the Drostdy of Graaff Reinet, (182) on pain of being considered as *Traitors to their Country*.

(183) That in the mean while the prisoners and Coenraad de Buis, in order to encrease their party, spread a report (184) of the Landdrost's inviting the Caffers against the Inhabitants and providing them with Powder and Lead, (185) the said prisoners

and de Buys making advantage of a Letter by them intercepted, (186) written by the Landdrost on the 18th December 1797 to the Field Commandant H. J. van Rensburg, (187) accompanying some Tinderboxes and other Trifles (188) which the Landdrost, according to an old custom to preserve good harmony with the Caffers, had sent off as presents to the Chiefs of that nation, (189) and to which he had added 30 lbs. powder and 60 lbs. Lead, (190) not, of course, intended for the Caffers, (191) but, likewise according to custom, for the said Field Commandant to make use of in case of necessity requiring to send out armed Parties.

(192) That the Landdrost having on the 13th of February received intelligence by a Letter from Barend Burger's wife, (193) that 25 armed Men were arrived again from Zwartkops River at her place, (194) and as, on the 14th (195) three armed Burghers were discovered skulking in the River near the Drostdy, (196) and that he between the 14th and 16th of that Month was constantly and carefully watched, (197) therefore used the precaution of continually keeping in readiness the few Dragoons that were stationed at the Drostdy, (198) which occasioned the Insurgents to suppose (199) that if they proceeded to violence, they were likely to meet with resistance at the Drostdy.

(200) That at length on the appointed day, on the 17th of February, they again assembled to the number of upwards of 100 armed Men at the said Barend Burger's, at three quarters of an hour's distance from the Drostdy, (201) at which meeting Coenraad de Buys and the second prisoner were present, (202) but the first prisoner did not attend, one of his children being ill.

(203) That at this place Coenraad de Buys represented to the assembled multitude that among other things it was necessary to sign a paper (204) which some of the Prisoners state was a plan in what manner to treat the Landdrost, (205) others, it was the oath of Allegiance to the said de Buys, (206) and again others, it was a kind of conspiracy or engagement of reciprocal fidelity, (207) the real purport thereof has not however been discovered, (208) the said paper having been torn to pieces in a dispute that arose among them, notwithstanding some of them had signed it.

(209) That the Revd. Mr. Ballot, Minister of the Gospel at Graaff Reinet, having in the mean while thought it his duty to call upon these Revolters, (210) in order if possible to reclaim them from their error by proper exhortations, (211) or at least to prevent

them from committing any overt act of violence, (212) succeeded so far (213) as to retard the execution of the plan against the Landdrost, (214) they contenting themselves for that time with committing several insults on the same, (215) with retaining not only the Heemraden in their way to the Drostdy, whither they were summoned to attend the Meeting, (216) but also others who were going thither upon business, (217) and with ordering the Heemraden not to assemble at the Drostdy, (218) as this will more circumstantially appear from the Journal kept by the Landdrost, hereunto annexed sub L^a K.

(219) That at the same time they formed, at Coenraad de Buys's desire, two Ranks at Burger's place both in the presence and after the departure of the Revd. Mr. Ballot, and were mustered, (220) and thereupon conducted themselves so as perfectly to evince (221) that they had in no manner desisted from their plan, (222) and that it was not so much the exhortation of the Reverend Mr. Ballot (223) as again the want of a sufficient number of Men (224) that made them resolve (225) to postpone till another time the final execution of their intention.

(226) And the Landdrost's said Journal shews (227) that the mutinous conduct of these assembled Men continued to the 20th of the said January, (228) that in the interval of the 19th February they kept the Road to the Cape beset by about 30 Men, (229) that the Insurgents having either received intelligence, or from the existing circumstances supposed, that Troops were coming, (230) insolently sent word to the Landdrost and Heemraden (231) that if they did not take care that the March of the Troops was countermanded, (232) they would then know what to do, (233) to which the Landdrost and Heemraden consented (234) merely to prevent the consequences of hostilities, (235) so that the Landdrost and Heemraden dispatched the here sub L^a H No. 2 annexed Letter to His Excellency the Commander in Chief accordingly.

(236) That after this the Rebels sent a note into the meeting of Landdrost and Heemraden, which note the second prisoner says he wrote at the request of the Men, (237) and which is here sub L^a H No. 3 in Copy subjoined, (238) prescribing a Rule how the Caffers were to be treated, (239) viz. that no presents at all were to be sent to them in future, (240) concluding with these words: (241) Our desire is that the Messages to the Caffers shall

not be forwarded to them but through our Fellow Burgher Coenraad de Buys.

(242) The Landdrost & Heemraden, (243) on the persons that brought the said note insisting upon a direct answer in writing, (244) gave the following answer: (245) The note being by us received shall provisionally be observed and the approbation of the Governor thereon requested.

(246) That the aforesaid Band with Coenraad de Buys and the second prisoner quitted the Drostdy and the Second Drift on the 20th of the said Month of February, (247) and some of them returned again to the place of the said J. Bosch, (248) among these were Coenraad de Buys and Jan Botha, surnamed one handed Botha, (249) which latter was, shortly after the last Meeting at Jan Bosch's charged with the forming of a Camp near the place called *Coega*, situated two hours on the other side of the Zwartkops River, (250) in order to obstruct the march of the King's Troops, which they seem to have expected at the Zwartkops Bay.

(251) That to the first prisoner, (252) who pretends to have remained at home on account of his Child's indisposition, (253) being then also arrived at Jan Bosch's, (254) a solemn oath was administered by Jan Botha, (255) which some of the prisoners say was an Oath of Allegiance to Coenraad de Buys and Jan Botha, (256) and others, that he thereby took upon him the task of repulsing the British Troops when advancing, (257) the first prisoner however has declared that the said Oath only bound him (258) not to betray Coenraad de Buys and Jan Botha.

(259) That after this transaction Coenraad de Buys returned to Caffraria, (260) and Jan Botha departed to the aforesaid Camp at *Coega*, (261) in order to have with the third and fourth prisoners the charge of opposing the English Troops on their Arrival.

(262) That in the mean while, on the 16th of February, report having been made to Major General F. Dundas of the transaction respecting the second prisoner, and of the state of the District Graaff Reinet, (263) His said Excellency, being then acting Governor and Commander in Chief of this Colony, (264) thought proper immediately to send off, under the command of Brigadier General Vandeleur, a sufficient force both by Sea and Land, (265) in order to quell the insurrection at Graaff Reinet in the

most efficacious manner, (266) and to apprehend the Ringleaders thereof.

(267) That Brigadier General Vandeleur marched from this place with a division of Dragoons and Hottentots in His Majesty's Service, on the 17th February, (268) provided both with the necessary Instructions, and the proclamation which the Lieut. Governor caused to be published on that date relative to this case, (269) in which proclamation the several Inhabitants were exhorted to keep quietly at their homes during the March of the Troops, (270) on such pain as the said Proclamation here annexed sub L^a S awarded in case of disobedience.

(271) That hereupon the other division successively departed in Two Ships to Zwartkops Bay, (272) in order, after having joined at the Zwartkops River, to pursue their March to the Drostdy of Graaff Reinets.

(273) That Brigadier General Vandeleur, being arrived on the 26th February at the Hagel Kraal, in the centre of the District Zwellendam, (274) was informed (275) and had reason to suppose from sundry circumstances (276) that the Insurgents of Graaff Reinets were busy with enticing the people of Zwellendam also to assist them, (277) therefore thought it expedient to forbid the Inhabitants of Zwellendam to pass the Attaquas Kloof, (278) ordering them at the same time strictly to obey the aforesaid proclamation of the 17th February, (279) and in the mean while the Commander in Chief, informed of the state of the District Zwellendam, (280) thought it proper to order the Two Brothers Jacobus and Fredrik Botha (281) as suspicious persons, who signalized themselves in the former disturbances in that District, (282) to be escorted by a Guard of Dragoons to Cape Town, (283) in order to be confined in the Castle by way of precaution, (284) as they afterwards, when peace was reestablished in the Country, were released and returned to their several homes.

(285) That as soon as the first Detachment arrived at Zwartkops Bay, (286) the third prisoner, who was at his Farm situated near the said Bay, sent intelligence thereof by an Express to Gerrit Oosthuyzen and his brother Johannes Botha—or Botha one hand,—(287) which latter had, as is aforesaid, the provisional charge of the Camp against the Government Troops (288) stating in his Letter of the 2nd March, (289) “Dea.

Brother, come now quickly, the English are arrived at the Bay and intend to apprehend all the Inhabitants of Graaff Reinet, come therefore quickly to our assistance, for we are too feeble here," &c., (290) which letter Jan Botha immediately forwarded to the first prisoner, (291) adding to it a letter hereunto subjoined sub L^a J No. 2 (292) in which, applying for assistance, he states among other things, (293) All of you remember the words we spoke at Jan Bosch's, that we should be faithful to each other, until the last drop of blood, &c.

(294) That the first prisoner, (295) at whose place the second prisoner resided since the last Meeting at Bosch's, (296) having received the above two Letters, (297) began with the second prisoner's assistance & advice, by Letters and orders, to command Men from all parts, to arm and to repair unto the Coega, (298) and circulated with great expedition the said Letters, which were written and signed by the second prisoner with the name of the first prisoner, (299) which Letters, altho' not minded by some, (300) however caused a considerable number to arm and to repair unto the appointed place.

(301) That the second prisoner on the 6th of the said Month wrote another Letter, for the first prisoner, to the Landdrost & Heemraaden of Graaff Reinet, (302) inserted in the Landdrost's here, sub L^a K, annexed day Book, (303) which letter, tending to make them prevail upon the English Troops to turn back, (304) had however the following Postscript, (305) if the least report of the arrival of the armed Hottentots is heard, then you may depend upon Buys's marching with the whole Caffer Country against them.

(306) That the Landdrost & Heemraden not having answered that letter, (307) the two first prisoners exerted the utmost endeavours (308) to assemble at Coega as many armed Men as they could.

(309) That even the second prisoner personally and armed actually set out for that place, (310) but being taken ill returned, (311) after having on the road sent for the Field Cornet Jan Strydom, (312) and endeavoured to persuade him to join them, (313) but who absolutely refused doing so, (314) declaring that he would go to the Drostdy to his Landdrost and there receive his orders,—which he did accordingly.

(315) That the first prisoner having successively received

Reports from the 5th, 6th, and 7th Prisoners, (316) both of the number of Government Troops (317) and the Situation of the Rebel Camp at Coega, (318) continually exhorted them by his answers to take care that Government Troops might not march into the Country, (319) while the seventh Prisoner Pieter Rautenbach made the 8th Prisoner write a Letter from their said Camp dated the 10th of March and here annexed sub L^a U No. 5, (320) in which the 1st & 5th prisoners are requested to come with as many Men as they could assemble to the Zoutpans Neck, (321) and the mode indicated in which the English Troops might best be opposed, (322) and the Men at the Zoutpans Neck then be joined by those of the Coega, (323) which letter was publicly read at Coega before it was sent off.

(324) That General Vandeleur having in the mean while passed the Gamtouns River with his Corps, (325) met on the 7th of March between Loerie River and Galgenbosch the 4th prisoner Gerrit Rautenbach, who attended him to his Farm, (326) whence the Brigadier General proceeded the ensuing day to Algoa Bay, (327) leaving instructions with Brigade Major Sherlock as Senior Officer (328) to cause the proclamation of the 17th February to be read to the 4th prisoner, (329) and consequently to exhort him to remain at his place, (330) which Brigade Major Sherlock accordingly did.

(331) That the 4th prisoner having nevertheless quitted his Farm, (332) and Brigadier General Vandeleur learning he had put himself at the head of the Rebels at Coega, (333) and that he nevertheless had visited his home from time to time, (334) therefore sent some Men to apprehend him, (335) which Men not finding him at his Farm, conducted his wife to the General, (336) who released her some days after.

(337) That Jan Botha one hand having left Coega (338) in order, as some of the prisoners say, to gain the Caffers that reside on this side of Groot Vis River over to their party, (339) in which he does not however appear to have so quickly succeeded, (340) the 4th prisoner in the mean while actually not only put himself armed at the head of the Men at Coega, (341) but also endeavoured to gain the assistance of the Inhabitants of long Kloof and Zwellendam, (342) for which purpose he among other things charged Gerrit Scheepers the 9th prisoner (343) to circulate the necessary Letters.

(344) That altho' General Vandeleur had already on the 9th of March passed the Widow Scheepers' Farm, where the 9th & 10th prisoners then were, (345) the 9th prisoner nevertheless caused, on the 12th of the Month, the 10th prisoner to write and circulate in Zwellendam the following address: (346) "To all well meaning friends and acquaintances who are possessed of any tender feelings for their fellow creatures, &c.; You that dwell between the Gamtouw's River and the uppermost part of the Long kloof are hereby requested and in the name of the people required immediately to come well armed to the Van Staden's River, for it is now come to the highest pitch, they are apprehending all persons, witness Jacob Kok and Gerrit Rautenbach's wife, who was taken from her bed, and they farther intend to apprehend every one, so that no person dares to sleep in his own house, and every one is fugitive, but we have already taken good precaution by providing proper Guards, and the whole of the Caffer Country side with us, so that no person can pretend ignorance, but every one shall be obliged to answer for his conduct, after the execution of the business. With speed & without delay. Van Staden's River, 12th March 1799." (347) Which Letter had not, however any effect, because of the aforesaid precaution taken with regard to the Inhabitants residing in that Route.

(348) Some of the Boers then even appearing before General Vandeleur voluntarily to lay down their arms, (349) and these persons not appearing to be principally concerned in the revolt were immediately pardoned by him, (350) they at the same time informing him (351) that the Rebels were joined by a great party of Caffers, and intended to attack him in his Camp.

(352) That when General Vandeleur had begun to march with his Troops under his Command towards the Drostdy of Graaf Reinets, (353) the Rebels at Coega (354) seeing themselves disappointed with regard to the number of Inhabitants who were upon the several orders expected to come to oppose the English not appearing, and His Majesty's Troops being close upon their heels, (355) which also caused them to lose the hope they had placed in Jan Botha and the Caffers, (356) retired first to Gerri Oosthuyzen's, afterwards to Van Rensburg's Farm, and thus they became separated, (357) whilst General Vandeleur proceeded to and on the 19th March arrived at Graaff Reinets's Drostdy, (358) where the Landdrost informed him (359) that during two Month

he had been in a state of siege (360) to such a degree that he had been obliged to keep within doors (361) under the protection of a Sergeant and 7 Dragoons that were stationed at the Drostdy.

(362) That after the arrival of General Vandeleur at the Drostdy the Rebels sent two Delegates, (363) delivering to him the here, sub L^a A A No. 1, annexed paper, (364) by which they submissively asked for pardon, (365) and whereupon the said General returned the following answer, stated in the here sub L^a A A Nos. 2 & 3 annexed paper: (366) "In answer to the Memorial presented this day by the Burghers Willem Prinslo & Daniel Liebenberg, I have only to say that until those that were concerned in the late daring revolt come in a body to lay down their arms and sue for pardon, I do not feel myself authorized to enter upon any treaty with them. Therefore if they sincerely continue in their profession of repentance and contrition, they may meet me at Willem Prinslo's on the 6th April, after which date I shall accept neither excuse nor submission whatever, but proceed with the Troops under my Command to compel them to do what they might have done voluntarily."

(367) That in the beginning of April the said General Vandeleur, attended by the Landdrost of Graaff Reinet and an Escort of Troops, went to Bruintjes Hoogte, (368) where in the first place he caused the second prisoner and his son Zacharias van Jaarsveld the 12th prisoner to be apprehended, (369) and on the 6th of the said Month the greatest part of the Insurgents commanded by the 1st prisoner appeared in a body, and laid down their arms to His Majesty's Troops.

(370) That having apprehended those that were most culpable, (371) the General jointly with the Landdrost thought proper to pardon the rest, (372) on their paying a Fine to Government, furnishing one or two Horses to the Cavalry, in proportion to their means, (373) and some of them that were poor he pardoned on their mere promise of behaving better in future; (374) the whole of the aforesaid persons amounted to a number of 93, (375) as will appear by the hereunto annexed Return sub L^a D D.

(376) That as there still continued absent 27 persons belonging to the mutinous Band, (377) the General on the 22nd of April issued a proclamation (378) summoning them nominally (379) to appear before the 3rd of May at Thomas Ignatius Ferreira's Farm,

and there to deliver up their arms, (380) which order some of them obeyed, and surrendered their arms accordingly, (381) among which latter persons Jacobus Scheepers and Piet Grobbelaar also were apprehended, (382) whilst another part of them, among whom was Jan Botha—one hand—retired into Caffraria, (383) and lastly the 9th and 10th prisoners were likewise apprehended at Zwartkops River, (384) and the whole of them, (385) forming a number of 20, were transported by His Majesty's Ship *Rattlesnake* to the Cape.

(386) That in the mean while His Excellency Major General Dundas, (387) being informed that the Rebels of Graaff Reinet meant to oppose even Government Troops, (388) and were endeavouring to draw the Inhabitants of Zwellendam and other Districts into their pernicious plan, (389) therefore thought proper on the 7th April to issue a proclamation, a Copy whereof is here under L^a Z annexed, (390) by which not only the District of Graaff Reinet, where the Rebellion still continued, and particularly *Bruintjes Hoogte*, *Zuurveld*, and *Zwartkops River* were provisionally placed under Martial Law, (391) to be in its summary way enforced there during that time, (392) but also all the Inhabitants of that part of the District Graaff Reinet, (393) the Field Commandants and Field Cornets, and also those that had obtained Certificates from General Vandeleur only excepted, (394) were required to deliver up to the Commanding Officer the Arms and Ammunition in their possession.

(395) That afterwards the Hottentots at the Zwartkops and Bosjesmans Rivers, (396) either from being incited against Government and those that had not been concerned in the late disturbances, (397) or from a notion they also had conceived of liberty and equality, (398) which made them resolve to take the benefit of the said General disturbances, (399) to revenge the wrongs and oppression they had sustained from the greatest part of the Inhabitants of those Districts, (400) also rose against the Christians, (401) being joined by a part of the Caffers residing on this side of the Groot Vis River, (402) burst out in the month of July 1799 into open depredations and murder (403) to such a degree (404) that the Commander in Chief himself, (405) attended by the major part of the Garrison and by a party of Burgher Militia of the Zwellendam District, was obliged to march against them, (406) and did not until after a residence of upwards of Five

Months in the remotest parts of this Colony, (407) and very great trouble and exertion, (408) succeed to stop the progress of these disturbances, which were in a thousand respects dangerous for this Colony, (409) and to quiet that people, (410) yet could not however prevent (411) several Families, Women, and Children from falling a sacrifice to the fury of those nations.

(412) That as all these disturbances did not admit the prisoners being attended to, (413) Government could not until after the arrival of His Excellency Sir George Yonge as Governor of this Colony, (414) and after the return of the said Lieutenant Governor from the District Graaff Reinet, (415) make them a subject of their serious deliberations, (416) then resolving to deliver them over to the Fiscal, (417) directing him to proceed against them before this Court, as their Competent Judge, (418) as the nature of their crime should require, according to the laws of this Colony, (419) *vide* the hereunto annexed Letter sub L^a K. K written by the said Governor both to your Worships and the Fiscal, and bearing date 8th May last.

(420) That the Fiscal, *Ratione Officio* Prosecutor, having laid the said Letter before your Worships, (421) obtained on the 10th May your Judicial Decree continuing the confinement of the prisoners, (422) and thereupon heard each of them separately before a Committee of this Court on such Interrogatories (423) as were drawn up by him, and put to the Prisoners separately.

(424) That in the mean while Brigadier General Vandeleur, having at the requisition of the Fiscal, given a narrative of his Transactions at Graaff Reinet, (425) states among other things (426) that Jacobus Scheepers and Piet Grobbelaar (427) being likewise included in the Return which His Excellency the Governor was pleased with the said Letter of the 8th May last to transmit to the Fiscal, (428) were on their apprehension fully pardoned by him as Commander in Chief of the Troops at Graaff Reinet on account of the share they had in the late revolt, (429) and were merely for precaution's sake, on account of their near relations to the Caffers, sent to the Cape, (430) the Fiscal therefore thought it incumbent on him (431) to report the circumstance to His Excellency the Commander in Chief, (432) from whom he received in answer the here annexed Letter sub L^a M M, (433) in which His Excellency was pleased to declare (434) that on the aforesaid account the prisoners Jacobus Scheepers and Piet

Grobbelaar were exempted from the prosecution entered against the other prisoners, (435) yet thought it nevertheless necessary (436) that they should continue in the Castle until the conclusion of the trial of the other prisoners, (437) and then not to be released (438) until proper security should be given for their future conduct, to the satisfaction of Government.

(439) That the other 18 prisoners on being examined by the Fiscal (440) fully confessed the principal points of the charges preferred against them, and the criminality of their conduct, (441) as will further appear to your Worships (442) from the papers and Documents marked from L^a D to F F F, which the Fiscal has the honor to lay before this Court, with the Criminal Claim and conclusion, (443) and to the contents of which he as to the rest begs leave to refer.

(444) The foregoing, Gentlemen, being *quod ad factum* sufficient, (445) the Fiscal will now proceed (446) first to investigate the Crime of which the prisoners are guilty, (447) secondly what is the principal charge against each Individual prisoner, (448) and lastly what ought to be their punishment.

(449) The Fiscal feels obliged preliminarily to observe (450) that the aforesaid Insurrection in Graaff Reinet is by no means occasioned by the transaction with Adriaan van Jaarsveld the 2nd prisoner, (451) but is really to be ascribed (452) to the false and perverted news that were from time to time transmitted to the prisoners, (453) particularly with regard to the sending off a part of the Garrison in 1798 to the Indies, (454) from which the prisoners concluded (455) that Government had no sufficient force at hand (456) to maintain the public peace in case of its being disturbed, (457) and consequently to a plan concerted by them so early as the beginning of December of the preceding year, (458) which some of the prisoners said was to renew the former Patriotism, and with the assistance of the Caffers N. B. to carry it on in a better manner than before, (459) and others (460) to murder the Landdrost and to retake the Colony.

(461) This Patriotism any person knowing the Colony these six years also knows (462) always originated from the notion the prisoners had conceived of the specious words *Liberty, Equality*, and *Fraternity*, (463) which they presumed entitled every man to live in his own way and not to mind any divine or human Institutions, (464) and to which they in particular added a right

to treat and ill-treat the Hottentots, slaves, and their other inferiors in the most arbitrary manner.

(465) The mutinous Inhabitants of Graaff Reinet have these six years past more than once exerted and displayed the said Patriotism (466) by open sedition against the Magistrates, (467) by expelling both their Landdrost & Minister of the Gospel from the District, (468) and by a total anarchy, (469) under which both the peaceable Inhabitants and the poor Heathens were groaning not a little.

(470) This Patriotism they intended to renew and carry on in a better manner than before, (471) and whereof the 1st prisoner appears again to have been the Chief Author, (472) at least the 7th prisoner Piet Rautenbach declares in the 13th Article of his Interrogatories, and asserts in the 1st prisoner's face (473) "that the first prisoner had called at his farm longer than a Month prior to Van Jaarsveld being apprehended, where Jan Botha—surnamed one hand—lived, that he there had said to Jan Botha he wished the men might at length agree; that they ought to appoint him their Commandant, that he then would write the men had compelled him, that *N. B.* Jan Botha had begun to write;" (474) and in the 14th Article "that Jan Botha *then* had written the here under L^a M subjoined Letter, bearing date 12th December 1798," (475) purporting "that they had resolved to renew the former Patriotism, which had been neglected, and to carry it on with greater energy than before," (476) which Letter the 1st prisoner confesses to have received and caused to be read to others, (477) and also his having called on Jan Botha at Rautenbach's prior to that Letter's date, (478) but disowns the said conversation with Jan Botha as stated by the 7th prisoner.

(479) The 14th prisoner Jacob Kruger Senior, having resided at the Great Vis River, declares in the 53rd and following Articles of his Interrogatories (480) "that more than a Month prior to the transactions with Van Jaarsveld, the 1st prisoner had personally delivered to him a letter directed to Coenraad de Buys in Caffraria," (481) "that he had forwarded that Letter by a Caffer," (482) "that the 1st prisoner had told him that letter desired Buys to come from Caffraria, the 1st prisoner wanting to speak with him," (483) "that the aforesaid Caffer, a fortnight afterwards, had returned him from de Buys a Letter directed to the 1st prisoner," (484) "which he had caused to be forwarded to the 1st Prisoner accordingly,"

(485) adding in his said Interrogatory (486) "his having heard the 1st prisoner had immediately acquainted Buys with the apprehending of van Jaarsveld."

(487) The writing the aforesaid Letter and its being forwarded by Jacob Kruger, the 1st prisoner however denied in his further Interrogatory ad article 212th in presence of the said Kruger, (488) after having in his former Interrogatory Article 181st to a similar question answered No I cannot recollect, (489) and afterwards if I recollect it at a future period I shall tell it, (490) and confessing in the 24th and following articles his having caused two Letters to be written to Buys prior to the transaction with van Jaarsveld, (491) one to advise him to return to live among the Christians as a burgher, (492) and the other relative to the intention of the Caffers to murder Hendrik van Rensburg, (493) but which he states he caused in another way to be forwarded by Barend Bester, not by the said Kruger.

(494) Now, Worshipful Gentlemen, if the following circumstances are in addition considered, viz. (495) first that the 8th prisoner Godfried Koch, *vide* his Interrogatory ad article 12th, had heard so early as the Month of September 1798 that the former Patriotism was to be renewed, (496) secondly that the 5th prisoner Barend Bester, having been in Cape Town in September 1798, (497) took with him, *vide* the 50th article of his Interrogatory, from Cornelis Edeman—who also is at present prisoner of justice—to Graaff Reinet the here under L^a O No. 2 subjoined paper containing among others the following news: (498) "as 30 Ships of the Line and 60 Transports are dispatched to the East to conquer Ceylon, Madras & Bengal, so 3 Regiments Cavalry and 2 Regiments Infantry are to depart thither from the Cape, and all foreign nations are pressed."

(499) Thirdly both the 1st Prisoner and some of the others acknowledge to have learnt in the Country that the Government Stables and a considerable number of Cavalry Horses were consumed by Fire.

(500) Fourthly that in the here under L^a G subjoined Letter, written on the 26th of February 1799 to the 1st prisoner and found among the latter's papers, there occurs the following remarkable passage: (501) "Zwellendam is with us and the men leapt for joy when they heard the patriotism was resumed, and the *Lord* is really arrived again at the Cape with the Men that left the Cape

with him, even as far as the Cape the people are in an Insurrection, the *Lord* was respected by the French, and necessitated to take his refuge to the Cape &c."

(502) And if one further attends (503) to the saying of the 2nd prisoner when the Landdrost acquainted him of his being prisoner, "Sir I am afraid this will cause a disturbance among the people," (504) to the saying of the 1st prisoner when he rescued the 2nd prisoner: "there is a second matter which has already reached the long Kloof, and which will break out at the first opportunity, (505) and finally to the connection of the 35th, 36th & 37th and following articles of the 2nd prisoner's Interrogatory with the 35th article of Isaac Bonté (506) respecting the transmitting intelligence to Coenraad de Buys that there were at the Cape no more than 50 Men regular force, (507) then certainly nothing further will be required to evince (508) not only that the aforesaid Criminal plan was formed so early as the Month of December 1798, (509) and that the transaction respecting van Jaarsveld but casually intervened, and probably too early for the prisoners, (510) but also that the 1st prisoner was again the first Contriver, (511) and therefore did not think it advisable for him to suffer the 2nd prisoner, (512) with whom he always proceeded in concert, (513) to depart for the Cape, (514) he being too useful an Instrument for the execution of a plan (515) in which to succeed they probably thought the present to be the properest time.

(516) The Crime, Gentlemen, the prisoners have rendered themselves guilty of, the Fiscal is of opinion belongs *in genere* to the *Crimen Læsæ Majestatis*, (517) however such of the prisoners as have neither known of the plan laid to conquer the Colony, or a part thereof, with the assistance of the Caffers, (518) nor meddled with the forming the Camp at Coega, (519) but were only *accessary* to the rescuing of van Jaarsveld, (520) are to be referred to the Class of public *violence*, agreeable to the terms of *L Tul de vi publi*.

(521) The *Crimen Majestatis* is in general any violation of the Laws of the Sovereign, (522) *vide Matthæus ad Lit 48 dig Tit 2 Cap 1 No. 1 Lex 1 Dig ad L Tul Majestatis*, (523) now as there are degrees of *Læsæ Majestatis*, (524) which do not deserve an equally severe punishment, (525) so not only the Commentators of the Ancient Law, but also the authors of our modern ones, (526) have made in that respect a material distinction, according to the more or less atrocity thereof, (527) styling the one in general

Crimen Majestatis, (528) and the other *Perduellionis* or *High Treason*.

(529) Some of them have included in the former even the particular crimes of *forgery*, *violence*, and *insult*, (530) viz. the Counterfeiting Money, (531) the keeping private prisons, (532) the exercising Criminal Jurisdiction by private persons of their own authority, (533) the insulting and slandering the Sovereign, (534) the exercising Magistracy without legal appointment, (535) and in general the assuming, undertaking, or executing any thing belonging to the Sovereign alone.

(536) But the *Crimen Perduellionis* is the superior degree of *Læse Majestatis*, and is committed in general by all who maliciously undertake any thing against the safety or dignity of the Sovereign Authority of the Country, (537) or, according to *L ult D ad Leg. Tul. Majest.* and Moorman of the Crimes, 1st Book Cap 3, 1, 2, by doing with a criminal view any thing to the prejudice of the State or the Sovereign Authority of the Country, (538) which requires an *animus hostilis* or hostile mind, (539) and under which the aforesaid Laws and our modern Commentators especially arrange, among others, the following Crimes, viz.

(540) Conspiracy against the Sovereign or the State,

(541) The releasing Hostages without the Sovereign's commands,

(542) The carrying on Correspondence with and abetting the Enemy by Signs, Signals, &c.,

(543) The revealing the Secrets of the State to the Enemy,

(544) A Governor's refusing to resign the Command of the Army to his Successor,

(545) The waging War or levying armed people or an army without the Sovereign's Command,

(546) Sedition and uproar, more especially when it tends to disturb the public peace and endanger the State,

(547) The converting our Friends into Enemies,

(548) The assembling armed Men against the State,

(549) The besetting public places sword in hand,

(550) The establishing forbidden assemblies among the people and inciting the same against the Magistrates,

(551) And any Crime committed by a Subject against his lawful Government with a view to change or subvert the same, and disturb their public peace and prosperity,

(552) Nay even the offending or insulting the Sovereign when it is done with an *inimical intention* against the State.

(553) So as stated, independently of the said L Tul Majest by all the Jurists that have treated of Criminal Laws, and among others, more especially (554) Matthæus *de Crimine Lib 48 D Tit 2 Cap 1*, Paulus Voet *ad ff Tit 4 Lib 48 P 2 Carprov translated by Hogendorp Part 1 Cap 34 & 38*, Moorman of the Crimes *1st Book Cap 3 & 6*, Damhouder in *Criminal practice Cap 62 & 63*, (555) the said Matthæus Cap 2 No. 9 especially stating "add to these that have occasioned or ill-intentionally incited or persuaded the Enemy, so as to convert the amity with the republic into enmity ; for what is more abominable than to bring an enemy upon one's Country, and *it is the same whether a foreign or an intestine enemy be instigated, &c.*"

(556) And Voet eod P 3 "the Crimen Perduellionis is likewise committed by carrying arms against the republic, or conspiring with soldiers or *private persons* against the same, &c."

(557) The punishment for this Crime therefore differs according to the nature of the people by whom it is committed, (558) but with us it is at all events Death, (559) which frequently, according to circumstances, is aggravated by the wheel, quartering, &c. (560) *vide* Carprovius eod Cap 30 P 23, Damhouder Pract Crim Cap 62, Moorman of the Crimes Part 1st Cap 6 P 23, (561) Carprovius styling it in P 1 *the most atrocious of all the Crimes* commissible against them. [Numbernig defective.]

(562) It therefore has sundry particularities deviating from the general rule in other Crimes: (564) first, it admits of no prescription, whereas the action for other Crimes expires with the 20th year, (565) secondly, it admits of single witnesses, incredible for other Crimes, (566) thirdly, it renders accomplices credible, (567) fourthly, it subjected Minors to be tortured, which was not the case for common crimes, (568) fifthly, it admits of summary prosecution without any form of process, (569) sixthly, it made the Delinquent forfeit all his property, (570) seventhly, which letter is however abolished by proclamation of their High Mightinesses bearing date 10th August 1778, (571) it does not require the actual execution, the mere attempt being punishable, (572) eighthly, the *will* for attempting any thing against the State, if that will manifests itself *ever so little*, subjects to the said punishment, (573) ninthly, it subjects to punishment not only the Chief

and principal offenders, but also all those who *in any way* assisted them with advice or aid, (574) nay, even those who merely consented, without affording any advice or assistance, or that merely were privy to the attempt, and did not *timely* reveal and disclose it, (575) *vide* Carprov cod Cap 38 P 3 et seq, Moorman Cap 6 P 4, 5, 11, 16, & seq, Auth Matthæus cod, Their High Mightinesses General Ordinance of the year 1590 Article 5th & 6th.

(576) On the other hand Legislators as well as Commentators have always on account of the heinousness of this Crime and its consequences, carefully endeavoured to prevent its being either treated too rashly or mistaken, (577) there being instances when the Crimen Majestatis served a pretext to make away with innocent persons, (578) the ancients therefore already used to say that High Treason sometimes was *Crimen unicum eorum qui crimine vacant*, the only crime of such persons as were guilty of no Crimes.

(579) Modestinus therefore warned the Judges not to make a wrong use of this Crime, and to consult not in that respect so much erroneous Zeal for the honor of the Sovereign as the real truth, (580) properly to attend to the accused, in order to ascertain whether he was in good repute, whether he dropped some inconsiderate words either from thoughtlessness or from a bad purpose, and whether he did or intended similar things before.

(581) A general will is therefore admitted with respect to this Crime, (582) that *Crimen læsæ Majestatis* is never to be understood to be committed if the offence is susceptible of any other interpretation, (583) that is to say (584) that as long as the offence can be referred to some other Class of Crimes, (585) so as it frequently occurs when it belongs neither to *violence*, nor to *forgery, insult, &c.*, (586) recourse never should then be had to that of *Majestatis*, (587) for instance (588) public violence, not being attended with disturbing the public peace (589) falls under the L: *Tul de vi publico*, (590) and in the same manner slandering or insulting the Sovereign or any other Magistrate, not being done with a view to *subvert the State or Constitution* (591) or to *injure the same*, (592) but merely from thoughtlessness, drunkenness, inconsiderateness, or even from personal hatred, (593) does not then fall under the description of *Crimen Majestatis*, but under that of atrocious insult.

(594) Hereupon is founded what Moorman in his 1st Book 3 Chapter P 18 states respecting the assuming public authority ;

(595) he says "he that without legal appointment acts like a Magistrate having public authority is guilty of Crimen Majestatis, but not of that sort thereof which we understand by the denomination of High Treason, unless any person should assume the Sovereignty or an inferior dignity, and *should do so with an inimical mind, thereby to disturb the Sovereign or the State*, (596) and Van Hogendorp in his translated Carprovius eod P 27, (597) discussing whether the Slandering the Sovereign falls under the denomination of the Crime in question, asserts agreeable to the modern opinion, the contrary, (598) yet adds in substance (599) "if but the words of the Slander be not of themselves seditious and calculated to excite the people to take up arms against the Sovereign, (600) or any exclamation apt to excite revolt, by which the safety both of the Sovereign and the Community at large may be endangered."

(601) All which evinces (602) the chief object in view of the legislator with regard to the Crimen Majestatis to be *the peace and safety of the State*, (603) and that the Sovereign therefore always requires the severest punishment to be inflicted on all deliberate acts by which *that safety* might in any degree be endangered, (604) which Law doctrine, resting upon sound reason, is therefore always to be the touchstone of the Crimen Majestatis.

(605) Now it will be requisite to ascertain how far the prisoners *re vera* have rendered themselves guilty of the Crimen Læsæ Majestatis, (606) and how far the above cited Law arguments are applicable to the case in question.

(607) This, Gentlemen, the Fiscal trusts is not liable to any doubt, (608) if it is considered (609) that the prisoners have not rendered themselves guilty of mere insult or slander with regard to their Magistrates, or of violence of little moment, (610) or of some or other trifling disturbance in the District Graaff Reinets, (611) but that they actually have conspired against the safety of that Colony, and against the well being of the community at large, (612) witness the aforesaid Jan Botha's Letter of the 12th December 1798, stating "that we have resolved to renew the former patriotism and to carry it on in a better manner than before," (613) and the Letter of the 28th January 1799, stating "the general plan is of the Gamtous River, Zwartkops River, Bosjesmans River, Suurberg, and Bruintjes Hoogte, that they unanimously agreed to retake the Colony in our possession," (614)

and also the here under L^a W. No. 1 subjoined Letter, directed to the Inhabitants of the Gamtouns River and long Kloof requiring them to arm and march, (615) stating, "but we have already taken great precaution by providing proper Guards, and the whole of the Caffer Country side with us, so that no person can pretend ignorance, but every one shall be obliged to answer for his conduct, *after the execution of the business.*"

(616) That the prisoners have also repeatedly held mutinous and armed Meetings, (617) conspiring in those Meetings against the Landdrost and Magistrate, not in his private but in his official capacity, and to the prejudice of the Community at large.

(618) That further they have beset Graaff Reinets with armed Men, and made there the Magistracy to depend on their arbitrary will and pleasure, (619) and thus rendered the safety of the Magistracy of that District utterly precarious, (620) and that they likewise have taken up arms against Government, (621) it being only to be ascribed to the prompt measures taken by Government, (622) and to the small number of men the prisoners, altho' they exerted their utmost endeavours for the purpose, were able to assemble in that short space of time, (623) that the Government Troops were not brought to the necessity of acting, (624) which would possibly have reduced the whole District Graaff Reinets to ruin.

(625) This is, Gentlemen, therefore not only that *will* and *attempt* which manifests itself by deed, (626) and for which even those that merely consented or assisted are subjected by the *Crimen Perduellionis* to be punished as principals, (627) but it is also the full and complete consummation of the crime itself, (628) to that effect (629) that verily those that merely were privy to it, and did not timely reveal it, (630) cannot possibly escape the punishment.

(631) The Fiscal now begs leave to occupy your Worships' attention another moment with a short examination of that which militates against each of the prisoners both from the hereunto subjoined papers, and more especially from the Judicial confession of themselves.

(632) And then against the 1st prisoner Marthinus Prinslo it is, in the first place, to be observed (633) that exclusive of his correspondence with Coenraad de Buys, (634) who although a vagrant and outlaw had some influence upon the Caffers, among whom he

dwelled, (635) the said 1st prisoner—*vide* 193rd, 194th, & 195th Article of his Interrogatory—received, kept, and read before several persons Jan Botha's Letter of the 12th December 1798 (636) here under L^a M subjoined, (637) purporting a proposal for renewing *the former Patriotism* and for carrying it on in a better manner than before, (638) which Letter the said prisoner acknowledges in the 192nd & 193rd articles to have been written N B after his aforesaid visiting the said Jan Botha at Piet Rautenbach's.

(639) That the said prisoner commanded and caused to be commanded armed Men (640) to rescue by force from the hands of Justice the 2nd prisoner, (641) who upon a legal decree issued by his competent Judges was apprehended and sent to Cape Town.

(642) That the said 1st prisoner actually put this design into execution, and commanded the armed Men called upon for that purpose, (643) *vide* the 14th, 16th, 31st, 34th, 36th, 37th, 38th 41st, 42nd, & 43rd and following Articles of his Interrogatories sub L^a O O.

(644) That the 1st prisoner, *vide* the 47th Article of the said Interrogatory, said on that occasion "There is a second matter in agitation, which already reaches the long Kloof and will break out at the first opportunity," (645) from which saying it most evidently appears (646) that the prisoner was fully acquainted with the form'd plan and the intended attempt against Government, or the Magistracy of the District in which he lived, (647) he acknowledging in the 48th article that by that saying he meant the *renewing the Patriotism*.

(648) That the prisoner held a seditious Meeting of armed people at the 2nd Drift of Graaff Reinet on the 25th January 1799, (649) where, after having behaved most insolently, (650) he, *vide* the 60th article of his Interrogatory, thought proper to petition the Landdrost & Heemraaden to propose to Government (651) "that the Inhabitants residing next to the Groot Vis River might be allowed to graze their Cattle on the other side of that River in Caffraria," (652) which petition he made—*vide* the 71st article—N B under the protection of about 100 armed Men that were at the 2nd Drift, (653) altho' he, *vide* the 69th & 70th article, knew this to be contrary to the repeated Orders & proclamations of Government, (654) yet which petition, notwithstanding its absurdity and impropriety, the Landdrost & Heemraden were

forced to agree to, (655) which transaction of itself subjects the 1st prisoner to the penalty of such Laws as are always enforced in times of revolt & insurrection, (656) and among which there is the proclamation of their High Mightinesses bearing date 19th May 1673, (657) "forbidding the offending or injuring in any manner, or on any pretext whatever, any Magistrate or Officer and others in any public employ, either in Towns or in the Country, either in their person or property, either by deeds or violence, and also the forcing or compelling them to grant or do any thing whatever, and more especially the employing arms or armed people for that purpose," (658) and such on pain of *Death*, without any dissimulation whatever, (659) vide General Proclamation Book 3 Vol. page 518.

(660) That the 1st prisoner held on the 28th January 1799 another Meeting at his Own house with the 4th, 5th, & 7th prisoners and the said Coenraad de Buys, and then planned a complete conspiracy against the Colony, (661) vide the here under L^a O No. 1 subjoined Letter, written on that date & place, signed the *General Voice of the People*, and addressed to our good natured and faithful Co-Inhabitant J. P. van der Walt, (662) purporting "the plan of the people residing about the Gamtours River, Zwartkops River, Bosjesmans River, Suurberg & Bruintjes Hoogte is that they unanimously agreed to retake the Colony in our possession," (663) to which they added as a reason merely to induce harmless and ignorant people to participate in their design, (664) that the Landdrost has endeavoured to instigate the Caffers against the Christians, (665) but that the honest protector of our native Country Coenraad de Buys had prevented it, (666) vide the 76th & 87th articles of the Interrogatories of the 1st prisoner.

(667) That the prisoner on the 10th February 1799 held another rebellious Meeting at Jan Bosch's, (668) which in the 93rd article of his Interrogatory he acknowledges to have taken place, in order to rush towards Graaff Reinet according to their plan, (669) and in the 94th article he says in substance "the plan was already made before that time to knock the Landdrost's brains out, but I opposed it and said they should continue him in his employment, and place him at Willem Prinslo's until Government should have answered Van Jaarsveld's letter," (670) and the prisoner being in the 100th article asked "whether they had not agreed at Bosch's to proceed with the Caffers to take the Cape if possible,"

answered (671) "their plan had been to join the Caffers to the Burghers and retake Graaff Reinet, and all those that would not participate in their proceedings would be put to death, and their Cattle would have been served out to the Caffers for provision," (672) adding however in the 101st article "that this was Buys & Jan Botha's plan, but which no other person would agree to."

(673) That the prisoner bound himself by a solemn oath at Jan Botha's, before Coenraad de Buys & Jan Botha, to act in conjunction with them against the Troops of Government, (674) vide the 109th article of his Interrogatories, (675) but which Oath the prisoner in the 110th article says was only *not to betray* Buys & Jan Botha.

(676) That the 1st prisoner (677) on receiving the here under L^a F No. 1 & 2 subjoined Letters of Jan & Theunis Botha, (678) in which they acquainted him of Government Troops having landed at Zwartkops Bay, and that according to his promise his assistance was requested, (679) reminding him "you will now remember the words we spoke at Jan Bosch's *that we shall be faithful to each other to the last drop of blood*, (680) immediately consulted the 2nd prisoner, and sent orders to the respective Inhabitants to arm themselves for the purpose, and repair to Coega, (681) where Barend Bester, the 5th prisoner, in the 62nd & 66 articles of his Interrogatory states a Camp was formed by the 1st and 2nd prisoners' commands, for opposing the English Troops, (682) vide the prisoner's confession in the 131st, 132nd, 133rd, 137th, 138th, 140th, 141st, & 142nd articles of his Interrogatory.

(683) That the 1st prisoner continued to receive the here under L^a U No. 1, 2, 3, 4, 5, 6, & 7 subjoined Reports of the said Camp at Coega and the proceedings of Government Troops at the Zwartkops River, (684) to spy which the prisoner seems to have employed his fellow prisoner Jean Isaac Bonté, (685) which altho' the prisoners endeavoured to disguise it, (686) appears however from the here under L^a W No. 1 subjoined Report dated 8th March 1799, (687) it appearing further from the 1st prisoner's Interrogatory (688) that he continually endeavoured to assemble as many armed Men at Coega as he possibly could, (689) and then to keep them busy until the Caffers could join, (690) for in the 143rd article he acknowledges his having on account of his Child's sickness sent the 2nd prisoner in his stead to Coega, (691) and in the 146th article "that Van Jaarsveld on his return had reported

to him his having met Jan Botha on the road, who had told him that N B so many pandours—*i.e.* Hottentot Corps—had been killed, and that *a great number of Caffers were arrived to assist the Burghers at Coega*, (692) in the 154th article “his having heard that Coenraad de Buys, on the Camp at Coega being formed, was gone to Caffraria,” (693) and in the 155th article “that Jan Botha had quitted the Camp to cause the Caffers to come and help them,” (694) and lastly the 1st prisoner himself repaired in arms to Coega, (695) which appears from the 192nd article of his Interrogatories, (696) but returned on the road on the other side J. J. Greef’s Farm home again, (697) “because,” he says in the 161st article, “of his having met with C. Botha who had told him there were N B *Six Hundred Men at Coega, and therefore nothing to fear.*”

(698) All these, Gentlemen, are facts resting upon the original Letters owned by the 1st prisoner, and laid before your Worships, and also upon his answers to the Interrogatories, (699) and as each of the aforesaid charges considered individually absolutely falls under the *Crimen Perduellionis*, (700) the natural consequence is (701) that no one could with more propriety be placed at the head of this criminal demand and conclusion than the 1st prisoner.

(702) Now respecting the 2nd prisoner Van Jaarsveld, (703) altho’ he had endeavoured during his trial to disguise some points of no great importance, (704) he appears however to be one of the principal offenders in the criminal transactions in question, (705) for regularity sake he has from the 4th to 29th article of his Interrogatories been examined on the subject of the aforementioned forgery, (706) and altho’ it would require but little trouble, by comparing his answers with the here subjoined papers sub L^a C Nos. 1, 2, 3, 4, 5, 6, & 7 relative to the subject, (707) and also with the 15th prisoner’s answers to his Interrogatories, (708) to convict the 2nd prisoner of the said forgery, and that he endeavoured *mala fide* to avail himself thereof, (709) nevertheless the Fiscal thinks himself obliged now to pass over the aforesaid offence, (710) because of its not being so important as the chief charge preferred against him, (711) and because our laws do not admit of any accumulation of crimes, (712) but always considering the punishment for the Chief involves that of the inferior.

(713) The Chief Crime of the second prisoner consists in (714) first, that he was perfectly privy to, and participated in, the

conspiracy planned prior to his being apprehended the first time, (715) which appears (716) *a*, from the answer he gave the Landdrost when his arrest was announced to him: "Sir, I am afraid this will cause a disturbance among the people," (717) by which word *disturbance* the prisoner in the 51st article of his Interrogatory says to have meant *sedition and uproar in the Colony*, (718) *b*, from what passed at Dirk van den Berg's, where the 2nd prisoner—*vide* the 45th article of his Interrogatory—so early as the day *after* his being rescued by the 1st prisoner at the Carreebosch read to the Men there a Letter, (719) which he in the 37th article says to have been of Coenraad de Buys, (720) but which he in the 205th article states to have been the aforesaid Letter of Jan Botha, (721) and which in the 40th article says to have purported "an instigation and encouragement for resuming the former Matter, (722) and *c*, from a Letter which the 2nd prisoner in the 60th article acknowledges to have written at the 1st prisoner's request to Andries Petrus Burger, (723) in which occurs the following passage: (724) "in the name of the Lord, I this day came back from the rescuing our Brother van Jaarsveld to Dirk van den Berg's, where the people require you to appear, nothing being able to excuse you but Death, in which confidence I enclose a Letter directed to you, from which *the great intention that has already operated before ardently appears*, and we shall expect your speedy arrival at Graaff Reinet in order *to assist the good intended decree of the Council with your judgment*." "Malta, that impregnable place, has been taken some Months ago by the National Convention, Bengal & Ceylon underwent the same fate," &c.

(725) Secondly, that the 2nd prisoner always attended the armed Meetings, both at the 2nd drift and afterwards at Jan Bosch's, and also later at Barend Burger's, (726) notwithstanding his acknowledging in the 67th article that they intended *forcibly to attack the Landdrost, and carry him off to Caffraria*.

(727) Thirdly, That the 2nd prisoner with Coenraad de Buys reviewed the armed Men at Barend Burgers—*vide* the 132nd & 134th articles of his further Interrogatories, (728) and, according to the 135th article, found them to consist of about 100 Men.

(729) Fourthly, that the 2nd prisoner, *vide* the 80th & 81st articles, is the author of the note inserted in the Journal of the proceedings of the Landdrost & Heemraden of the 19th February

1799, (730) in which it is prescribed among other things, (731) that Caffers happening to come to the Drostdy should immediately be sent away, and not retained, much less conferred with; (732) "I also claim that no Hottentot be sent to the Caffers, and more especially that no presents be forwarded to them; (733) our desires are that the Messages intended for the Caffers be sent in no other manner but through *our Fellow Burgher Coenraad de Buys*," (734) which note was presented on the 19th February 1799, (735) on which date the Landdrost's Journal states, "*all is this day in the utmost disturbance*," (736) and that "*30 Men kept the road to the Cape beset*," (737) *vide* the said day Book under L^a K among the hereunto subjoined papers, (738) to which note the Landdrost & Heemraden gave the Bearer, (739) who insisted on an answer in writing, (740) the following one: "the note by us received shall provisionally be observed, and the Governor's approbation thereon requested."

(741) Fifthly, that the second prisoner acknowledges to have been present at the first prisoner's at the receipt of the hereunto annexed two Letters under L^a F Nos. 1 & 2, and to have perused the same, (742) the one dated 2nd March 1799 and written by Theunis Botha to Gerrit Oosthuyzen & Jan Botha, (743) and the other dated the 3rd March, written by Jan Botha to the 1st & 5th prisoners, (744) the former purporting in substance, (745) "Brothers, come now quickly, the English are arrived in the Bay, and intend to apprehend all the Inhabitants of Graaff Reinet, pray come to our assistance as quickly as possible, for we are too feeble; they are already landed with arms & ammunition, &c.," (746) and the latter "for it is now time, the English are landed here, at the Zwartkops River's Bay, please immediately to write for the Inhabitants of Sneeuwberg & Rhenoster Berg to come most quickly to our assistance," (747) on the receipt of which Letters the 2nd prisoner confesses, in the 84th, 85th, 87th, & 88th articles of his Interrogatories, to have immediately not only set about to procure Men, but also written among several others the here under L^a F No. 3 annexed Letter to the following purport: (748) "Good Friend Hendrik Hatting, please to take the benefit of Christoffel Botha and Hendrik Kruger to March with as many Men as they can procure from your District, intelligence having this day been received that Four English Ships are arrived in Zwartkops River, and have taken a Man prisoner, you are on

the 8th Instant to be present at Willem Prinslo's Senior well victualled and armed, to examine the Matter, for it may be time to rouse for our Country. March 5th 1799. Your Friend, (signed) Marthinus Prinsloo," (749) which signature the 2nd prisoner in the 89th article says he put to that Letter at the 1st prisoner's request, (750) and the 2nd prisoner's Letters actually succeeded (751) to make several Men to repair in arms to the said Prinslo's and to the Camp at Coega; (752) the 2nd prisoner moreover acknowledges in the 139th article of his further Interrogatory to have written Letters to require Men to assemble in arms at the Candagga against the Troops of Government.

(753) Sixthly, that the 2nd prisoner wrote on the 6th March 1799 at the said Marthinus Prinslo's a Letter to the Landdrost & Heemraden of Graaff Reinet, (754) which Letter was signed by the 1st prisoner, (755) tending to make the Troops of Government withdraw, (756) and to which the 2nd prisoner added the following Post scriptum: "As soon as the least report is heard of the pandours Buys marches with the whole of the Caffres against them," (757) which the 2nd prisoner, in the 114th, 116th, & 117 articles of his Interrogatory fully acknowledges.

(758) Seventhly, that the 2nd prisoner went in the 1st prisoner's place to the Camp at Coega. (759) When at Willem Prinslo's he sent for the Field Cornet Johannes Strydom, and required him to participate in the business, (760) but which the said Field Cornet dutifully objected to, (761) declaring his intention to go to the Landdrost, and there to receive his orders, (762) *vide* the 94th to the 106th article of the prisoner's Interrogatories, (763) it also appearing from the examination of the 2nd prisoner's son Zacharias van Jaarsveld, the 12th prisoner, in the 56th to the 62nd articles, (764) that the said Strydom's refusal occasioned a violent dispute between him and the 2nd prisoner at Willem Prinslo's, (765) and that Strydom in spite of the 2nd prisoner's threats & rage went to his Landdrost at Graaff Reinet, (766) and that lastly the 2nd prisoner could not in the 14th article of his Interrogatory disown his having, (767) on his being obliged by sickness to return from the road to Coega, (768) reported to the 1st prisoner, (769) that Jan Botha had told him there were so many pandours—Hottentot corps—killed by the Burghers, and that a considerable party of Caffers had joined the Burghers at Coega.

(770) The 2nd prisoner is not therefore to be considered otherwise but as an actual accomplice of the 1st prisoner in the principal Crime, (771) he having immediately on the arrival of the Government Troops exerted his utmost endeavours to assemble armed Men, (772) for which purpose he did spare neither pen, ink, nor any trouble, (773) suffering even his son to repair in arms to the Camp at Coega, (774) in order thereby the better to encourage others by such example, (775) nay, his said son pleads not guilty in the 50th article of his Interrogatory, on account of his Father's having ordered him to repair to the Camp at Coega, (776) and it is not therefore but with reason that the 2nd prisoner should in this criminal Demand be placed immediately after the 1st prisoner.

(777) The Chief Crime of the prisoner Theunis Botha certainly consists in, first, that he wrote the aforesaid traitorous Letter of the 2nd March, *to be forwarded Cito, Cito*, from House to House, (778) in which Letter he expresses, "my dear Brothers come very quickly, the English are arrived in the Bay, and intend to apprehend all the Inhabitants of Graaff Reinet, pray come to our assistance as quickly as possible, *for we are here too feeble*, they are already landed with arms & ammunition," (779) which Letter the said 3rd prisoner owns in the 44th article of his Interrogatory, (780) and afforded the chief cause & inducement for the 1st & 2nd prisoners to command the people to arm, (781) further there militates against the 3rd prisoner (782) that he joined the Rebels at Barend Burger's, and there not only signed himself the paper containing an engagement to continue faithful to each other, (783) but also endeavoured to persuade the 5th prisoner Barend Bester likewise to take that Oath, (784) vide the 30th & 31st articles of the 3rd prisoner's Interrogatory.

(785) That the said 3rd prisoner—vide the 32nd article—also repaired in arms to the Camp at Coega, (786) which Camp he in the 26th article acknowledges to have been formed against the Government Troops, (787) and fourthly, that the 3rd prisoner, moreover according to his own confession in the 47th article, wrote to Marthinus Rensburg in Sitsikamma, if possible thence to come to their assistance with armed Men.

(788) The Chief Crime of Gert Hendrik Rautenbach consists in, first, that he, the 4th prisoner, with Coenraad de Buys and several other persons was present at Marthinus Prinslo's, when there on

the 28th January 1799 was formed their plan as stated in the Letter hereunto annexed sub L^a O No. 1, (789) which then was written to J. P. van der Walt, (790) acquainting him that the plan of the Inhabitants of the Gamtouns River &c. *was to retake the Colony into their possession*, (791) which the prisoner in the 13th, 14th, 15th, 16th, 17th, 18th, & 20th articles of his Interrogatories confesses, (792) and in the 74th, 75th, & 76th articles of his further Interrogatories, acknowledges (793) that the meeting at that place was held for the purpose also to command Men, in order to attack the Landdrost of Graaff Reinet, (794) and that he himself had agreed with Buys.

(795) Secondly, that the said 4th prisoner, vide the 32nd, 33rd, 34th, 38th & 39th articles, went also in arms to the Camp at Coega.

(796) Thirdly, that the 4th prisoner on the departure of Jan Botha held the command, and even appointed officers there, (797) this latter appears from the information which General Vandeleur, according to his deposition hereunto annexed sub L^a L L, received at his arrival at the Zwartkops River, (798) and from the declaration of his Fellow prisoners Koch and Lucas Meyer, (799) and also from his own Brother, the 7th prisoner, Pieter Rautenbach's confession in the 60th article of his Interrogatory.

(800) The prisoner has however in his trial persisted in denying the word Commandant (801) and the appointment of officers, (802) stating in the 41st article, with regard to the appointing of officers, *to have charged the old people to take care of the young ones*, (803) and in the 42nd article, "I told Piet Rautenbach, Gerrit Oosthuyzen, Lucas Meyer and some others, *to look after the young people*," (804) and as to the post of Commandant, that when every thing ran there so into confusion, he took the *direction* there upon himself, (805) which appears from the prisoner's further Interrogatory in the 73rd article, and from his confrontation with the prisoner Koch relative to the latter's statement in the 44th article of his Interrogatory, (806) he the 4th prisoner acknowledging in the 62nd and 63rd articles of his Interrogatory his having Commanded the Men when they *retreated from Coega* first to Oosthuyzen's and afterwards to Hendrik Rensburg's (807) after having in the 55th & 56th articles stated to have received from the 1st prisoner a Letter in the Camp at Coega, (808) purporting to encourage the Men to prevent the English from marching into

the Country, (809) which above stated took place at a time General Vandeleur had already passed the prisoner's Farm.

(810) Fourthly and lastly, the prisoner directed the 9th prisoner Gerrit Scheepers and a certain Rensburg to write for the Inhabitants of long Kloof and Zwellendam to come to their assistance, (812) *vide* the 53rd and 54th articles of his Interrogatories, (813) and the examination of the said Gerrit Scheepers, (814) who thereby was induced (815) to despatch the hereunto subjoined Letter sub L^a W No. 1 to the Inhabitants of long Kloof and Zwellendam through the 10th prisoner Pieter Ignatius van Kamer.

(816) As to the prisoner Barend Johannes Bester, (817) his Crime chiefly consists in (818) First, that he was already on the road to assist in rescuing Adriaan van Jaarsveld, (819) but fear overcoming him, stopped at Paul Venter's. (820) Secondly, that afterwards he joined the seditious multitude at the 2nd drift near Graaff Reinet. (821) Thirdly, that he on the 28th January 1799 was also with Coenraad de Buys present at the 1st prisoner's, (822) and that he—*vide* the 25th article of his Interrogatories—is the writer of the Letter hereunto annexed sub L^a O No. 1 signed the *General voice of the people*, bearing the aforesaid date and directed to J. P. van der Walt.

(823) Fourthly, that he had received the Letter hereunto subjoined, L^a M, of Jan Botha, dated 12th December 1798, directed to the 1st and him the 5th prisoner, (824) which Letter he in the 41st article says to have forwarded to the 1st prisoner, (825) and that he—*vide* the 50th article—being in Cape Town in the Month of September 1798, (826) took with him from the Schoolmaster Cornelis Edeman—now likewise prisoner of Justice—the note of news hereunto subjoined L^a O No. 2, (827) which among other things mentions that "Three Regiments Cavalry and Two Regiments Infantry were sent from the Cape off to India, and that all foreign nations were pressed, &c."

(828) Fifthly, that the 5th prisoner likewise attended the Rebels at their Meeting at Barend Burger's.

(829) Sixthly, that the prisoner, on the receipt of the said Jan & Theunis Botha's Letter dated 2nd & 3rd March 1799, (830) the first of which was directed to Marthinus Prinslo, to him the 5th prisoner, and to all the Brethren in general, (831) applying for assistance on account of the arrival of the Government Troops, (832) and upon a Letter of the 1st & 2nd prisoners to him, (833)

also ordered *Men to Coega*, (834) *vide* the 71st to the 78th article of his Interrogatories.

(835) Seventhly, that the 5th prisoner—*vide* the 84th, 85th, 86th, & 87th articles—wrote the here under L^a U No. 2 subjoined Letter to Sina van Aart, and the Report to the 1st prisoner, on the subject of the Camp, (836) endeavouring by the former to procure an additional number of Men for the Camp at Coega, (837) and in the latter he writes what follows: “Dear Brother & Sister M. Prinslo, I have received news by C. van Aarden, but which are too many for me to mention all of them to you, but there is no danger, our Camp I think amounts to 600 Men, yet I shall advise you what, be not careless and do not lose a moment, hasten to the Camp, I pray for God’s sake do lose no time, mount and call in your way on me, I then shall communicate to you every thing; do not lose time, and mount, the English should they come even with 4000 Men cannot hurt us, call on me. I remain your Brother,—(signed) B. J. Bester. Written in a hurry, burn the Letter.” (838) Which Letter the 1st prisoner, in the 159th article, acknowledges to have received.

(839) The Crime of Jean Isaac Bonté, 6th prisoner, consists in (840) First, that the prisoner attended at the Meeting of the Rebels at Jan Bosch’s, (841) notwithstanding his knowing—*vide* the 19th article of his Interrogatory—(842) they intended to commit violence on the Landdrost, and that Buys prepared to carry off the Landdrost towards the Groot Vis River, and there shoot him to Death, (843) and *vide* the 20th article, that the Boers themselves intended to appoint Magistrates, and that the principal of them were Adriaan van Jaarsveld, Marthinus Prinslo, Buys, Jan Botha, Gert Rautenbach, and Theunis Botha.

(844) Secondly, that the prisoner wrote, at the request of Gerrit Oosthuyzen, the open Letter hereunto subjoined sub L^a U No. 4, addressed to the 1st prisoner & dated March 1799, applying especially for assistance against Government Troops, (845) and concluding in the words “from this any person may clearly conceive that there is danger, so that every man may regulate himself accordingly and repair to the spot, viz. Zwartkops River, as quickly as possible, in order to afford assistance. This is absolutely to be forwarded from house to house unto Marthinus Prinslo, cito, cito, all this night through.” (846) Which appears from the 41st & 42nd articles of the prisoner’s Interrogatory.

(847) Thirdly, that lastly the 6th prisoner acted as a spy and reported his observations to the 1st prisoner, (848) this the prisoner has endeavoured to deny, (849) asserting his never having been at the Zwartkops River, but returned on the road, (850) *vide* the 48th article of his Interrogatories, (851) owning however the report of the 8th March 1799 by him written and sent to the 1st prisoner, (852) here under L^a U No. 1 subjoined, and which the 1st prisoner, in the 152nd article of his Interrogatories acknowledges to have received, (853) in which report the 6th prisoner states among other things in substance (854) "Good Cousin Marthinus Prinslo, these are to let you know that *I went to Zwartkops River, and thence returned to report to you that the Men there are anxious to see you with your Men, there is danger, the English are landed at Thomas Ferreira's, where they have pitched their Camp, there are 100 Men and 400 Pandours, and tomorrow they expect 130 Huzzars from long Kloof, according to which that Major said. Pray Cousin Marthinus be not careless, and send Men from the Heights to our assistance, there is danger, you may believe it looks dreadful, there arrives no reinforcement yet, answer me quickly by my Hottentot Jacob, that I may be enabled to report again to the Men, &c.*" (855) *Vide* the 47th article of the 6th prisoner's Interrogatory.

(856) As to the 7th prisoner Petrus Fredrik Rautenbach, (857) here is especially to be considered (858) First, that the prisoner—*vide* the 13th & 14th articles of his Interrogatories—knew of the often cited Letter of the 12th December 1798 written by Jan Botha, who lived at the prisoner's, for renewing the former patriotism. (859) Secondly, that the prisoner also attended with the two first prisoners & Coenraad de Buys at the meeting of the rebellious Boers at Jan Bosch's, (860) where the prisoner confesses to have agreed to the proposal of carrying off the Landdrost of Graaff Reinet to Caffraria, (861) *vide* the 26th, 27th & 86th articles of his Examination & further Interrogation, (862) the Execution of which proposal was postponed—*vide* the 30th & 31st articles—only because a sufficient number of Men had not then joined together. (863) That the prisoner also afterwards attended at the Meeting of armed Men at Barend Burger's, (864) *vide* the 38th, 39th, & 40th articles of his Interrogatories.

(865) Fourthly, That the prisoner—*vide* the 52nd, 53rd, 54th, 55th, 56th, & 58th articles—likewise repaired in arms to the

Camp at Coega, and took there upon him the function of Officer, or—so as the prisoner styles it—*non Commissioned Officer*.

(866) Fifthly, that the prisoner caused the 8th prisoner Godfried Koch to write from the said Camp the Letter hereunto annexed sub L^a U No. 5, addressed "To the old protector Marthinus Prinslo, & to Barend Bester," in which among other things is mentioned, (867) "you are hereby informed that you are now to come quickly to our assistance, for the danger is grown to the utmost, and if you cannot come with the whole of your Men, you must then come with a part thereof, and when you come you may safely advance to the Zoutpans Nek, but there you are to be cautious and spy whether the pandours to the number of 100 are not perhaps already before you, and should you arrive earlier than we at the appointed place, then you must await us, and should we be there earlier than you then we will stay for you. The Troops, we understand, are to march from Zwartkops River on the 12th & the number of them that are to march is 160 Hussars & 100 pandours attended by Secretary Oertel," (868) which Letter the prisoner fully owns in the 61st, 63rd, & 64th articles of his Interrogatories.

(869) The Crime of the 8th prisoner Godlieb Ertman Christiaan Koch consists in (870) First, that the prisoner who did not reside in the District Graaff Reinets, but was there only from the Month of August 1798, (871) attended on the 10th February 1799 at the Meeting of the Mutinous Inhabitants of Graaff Reinets at Jan Bosch's, and continued in that District, (872) notwithstanding his knowing they had there resolved to attack the Landdrost of Graaff Reinets, (873) *vide* the 19th to the 23rd article of his Interrogatory, (874) confessing in the 61st article "that there they had been particularly told Coenraad de Buys intended to retake the Cape with the Caffers and the Men he might press on the road."

(875) Secondly, that the 8th prisoner acknowledges to have written the paper hereby subjoined sub L^a K (876) to the following purport: "the Burghers of Zwagershoek are required by the voice of the people to attend on the 17th February at the Drostdy of Graaff Reinets with arms & ammunition, and any person that does not appear will be considered as a Traitor to the Country. 17th February 1799. (signed) The Voice of the People." (877) *vide* the 27th, 28th, 29th, & 30th articles of his Interrogatories.

(878) Thirdly, that the 8th prisoner attended at the Meeting of the rebellious Inhabitants at Barend Burger's on the 17th February.

(879) Fourthly, that the prisoner in the 48th, 49th, 50th, & 51st articles confesses to have repaired armed with a Musket *he had even borrowed* to the Camp at Coega, on the receipt of the Letters circulated for that purpose.

(880) Fifthly, that the prisoner moreover there also thought proper at the request of the 7th prisoner Piet Rautenbach to write with a pencil to the 1st prisoner Marthinus Prinslo the Letter there in the 867th article inserted, (881) to which he also confesses to have put the 7th prisoner's name, at his request, (882) and to have read that letter before the people in the Camp at Coega, (883) *vide* the 50th article of his Interrogatories, (884) and his statement on his confrontation with the 11th prisoner Lucas Meyer in the 56th article of the latter's Interrogatories.

(885) Herewith proceeding on from the subject of the eight first prisoners, there next come under consideration

(886) The Ninth & Tenth prisoners Gerhardus Scheepers & Pieter Ignatius van Kamer, (887) against whom there occurs only (888) that they, after General Vandeleur with his Troops had already passed the place where they were, (889) endeavoured, at the 4th prisoner's request, to cause the Inhabitants of the Gamtouns River and the long Kloof in Zwellendam to take up arms against the Government Troops, (890) for which purpose the 10th prisoner wrote, and the 9th prisoner sent off, the paper hereunto annexed sub L^a W No. 1, (891) directed "*To all well meaning Friends and acquaintances that are possessed of any tender feelings for their fellow Creatures,*" (892) *vide* the 8th, 10th, 11th, 12th, 13th, 14th, 19th, & 20th of the 9th prisoner's Interrogatories and the 7th to the 11th article of the Interrogatories of the 10th prisoner.

(893) The Crime of Lucas Meyer, 11th prisoner, chiefly consists in (894) First, that he attended the rebellious Meetings both at Jan Bosch's and at Barend Burger's, (895) where he in the 31st & 32nd articles of his Interrogatories confesses to have signed the paper (896) which he states contained an engagement to continue faithful to Coenraad de Buys.

(897) Secondly, that on the receipt of the circular open letters, he repaired in arms to Coega with a view to oppose the Govern-

ments Troops there, (898) *vide* the 45th, 46th, 47th, 49th, & 50th articles of his Interrogatories, (899) some of the prisoners having stated the 11th prisoner to have acted even as Officer at Coega, (900) which the prisoner however denies, (901) by saying in the 48th article "Gerrit Rautenbach wanted to appoint him Officer, but there being so many young people he had declined it," (902) and in the 49th article, "I declined it because there was not a sufficient number of Men over whom I might have acted as Quarter Master, and therefore I engaged as private."

(903) With regard to the 12th prisoner Zacharias van Jaarsveld, there is to be considered (904) First, that at the requisition of the 1st prisoner he joined the armed party to rescue his Father, the 2nd prisoner, from the hands of Justice, *vide* the 11th, 12th, & 13th articles of his Interrogatories, (905) Secondly, that on the 25th January 1799 he also attended the mutinous multitude at the 2nd Drift, (906) and also on the 17th February at Barend Burger's, (907) *vide* the 24th & 29th articles of his Interrogatories.

(908) Thirdly, that the 12th prisoner repaired in arms to the Camp at Coega, (909) *vide* the 45th & 46th articles, (910) stating in the 50th article to have done so upon his father's Commands.

(911) The Charges against the 13th prisoner Willem Grobbe-laar are the following: (912) First, that the prisoner on the receipt of the circular requisitory notes joined the rebellious Inhabitants both at Barend Burger's and at the Drostdy of Graaff Reinet.

(913) Secondly, that the prisoner was on the 19th February the Bearer into the Meeting of the Landdrost and Heemraden of the, in the 236th article of this demand mentioned, insolent and threatening note relative to the Caffers, (914) *vide* the 16th & 22nd articles of the prisoner's Interrogatories, and also Day Book of the Landdrost hereunto subjoined sub L^a W.

(915) Thirdly, that the prisoner, likewise on the receipt of the aforesaid circular notes, repaired in arms to the Camp at Coega, (916) *vide* the 36th, 37th, 39th, & 40th, and following articles of his Interrogatories.

(917) With respect to the 14th prisoner Jacob Kruger Senior, there principally occurs (918) First, that the prisoner, independent of his having prior to the transaction with the 2nd prisoner forwarded Letters from the 1st prisoner to Coenraad de Buys, also proceeded in arms, at the 1st prisoner's requisition & under his

Command, to assist, and actually did assist, in the rescuing of Van Jaarsveld, *vide* the 8th & 9th articles of his Interrogatory.

(919) Secondly, that the prisoner on the 25th of January repaired with the other Men to the 2nd Drift near Graaff Reinnet, (920) and afterwards at Barend Burger's, (921) *vide* the 19th, 23rd, 24th, 25th, 26th, & 27th articles, (922) Thirdly, that the prisoner was in arms in the Camp formed against the Government Troops at Coega.

(923) The Crime of the 15th Prisoner Willem Venter consists in (924) that by the 1st prisoner's requisition he assisted in arms at the rescuing of the 2nd prisoner, *vide* the 15th & 16th articles of his Interrogatories, (925) and also on the 25th January attended in arms the Insurgents at the 2nd Drift of the Drostdy Graaff Reinnet, *vide* the 21st & 22nd articles, (926) having also attended them, but without arms, at Barend Burger's, *vide* the 28th & 29th articles, *et seq.*

(927) And as to the 16th prisoner Paul Venter, (928) that he attended, but without arms, the 1st prisoner & the other Men when they went to rescue Van Jaarsveld, (929) *vide* the 13th & 14th articles of his Interrogatories, (930) and also attended on the 25th January the mutinous multitude at the 2nd Drift, *vide* the 22nd & 23rd articles, (931) where he in the 24th & 25th articles guesses to have then been between 90 & 100 men, some of them with, and others without arms.

(932) With regard to the 17th prisoner Gerrit Botha, (933) First, that he, by Coenraad de Buys's command, so as he expresses himself in the 14th article of his Interrogatories, attended in arms the Insurgents at Jan Bosch's on the 10th February, (934) Secondly, that he on the 17th February again attended them in arms at Barend Burger's, (935) where he knew they met in order to execute the plan against the Landdrost, (936) *vide* the 12th, 13th, 15th, 16th, 21st, 37th, & 38th articles of his Interrogatories.

(937) And lastly as to the 18th prisoner Johannes Kruger, (938) First, that he, notwithstanding he acknowledges in the 12th article of his Interrogatories the District of Graaff Reinnet having ever since the 2nd prisoner Van Jaarsveld's rescue until the arrival of the Government Troops been in a constant revolt, nevertheless attended, altho' without arms, and continued with the Insurgents at the 2nd Drift near the Drostdy Graaff Reinnet on the 25th

January 1799, (940) *vide* the 19th to the 25th article of his Interrogatories, (941) Secondly, that the prisoner again attended them intentionally, tho' without arms, on the 17th February at Barend Burger's, (942) without acquainting either his Landdrost or his Field Cornet with this criminal Meeting, *vide* the 66th article, (943) as all this will more fully appear from the 32nd, 33rd, 34th, 35th, & 66th articles of his Interrogatories.

(944) Having herewith concluded the Charges occurring against each of the prisoners, (945) the Fiscal *Ratione Officio* Prosecutor will now occupy your Worships' attention one moment longer (946) with what the prisoners have alledged in their defence, (947) and with an examination whether and how far this vindication may deserve your Worships' Judicial consideration.

(948) Nothing, Worshipful Gentlemen, would afford to the Fiscal, (949) who is at present called upon by virtue of his office to the unpleasant task (950) of entering a Criminal prosecution against 18 Inhabitants, who, most of them, have Wives, Children, and other near Relations in this Colony, (951) for their having committed one of the greatest Crimes Man can be guilty of, (952) Nothing would afford to him a greater satisfaction (953) than the Meeting in the course of the examination of the present case any material arguments of exculpation, (954) and then the being enabled conscientiously to lay those arguments before the Judge in their behalf.

(955) But Gentlemen, however desirable this would have been, (956) Your Worships yourselves will on examination of this suit plainly perceive the impossibility, (957) the principles of Justice preserved to state, from the case itself, with regard to most of the prisoners any mitigating circumstances to a Judge, (958) who is in duty bound to administer Strict Justice without respect of persons.

(959) Almost all the prisoners have alledged in their vindication, (960) "that they were compelled by Coenraad de Buys," (961) excepting the 3rd, 5th, 6th, 17th, & 18th prisoners, (962) who consider partly the 1st (963) and partly the 1st and 2nd prisoners as the Chiefs and Authors of the late unfortunate occurrences at Graaff Reinnet, (964) as it appears (965) from the interrogatory of the 3rd prisoner ad article 51st, ditto of the 5th prisoner ad articles 34th, 35th, 62nd, 63rd, & 66th, (966) from the Interrogatory of the 6th prisoner article 21st, ditto 17th

prisoner article 44th, ditto 18th prisoner article 53rd, (967) the 3rd prisoner in the 51st article, to the question whether he must not confess the Field Cornet Van Rooyen, who has not meddled in the mutinous transactions at Graaff Reinnet, to be a good Man, (968) answering: "Yes, would I had followed the advice of my old good Father, who often impressed on our mind that we were to honor our Magistrates next to God, but those Seducers——" (969) and on the further question, in the 60th article, whom he meant by those Seducers, (970) replying Marthinus Prinslo.

(971) And the 5th prisoner, having asserted in the face of the two first prisoners that they were the Chief Authors of the Camp at Coega, declares in the 101st article of his further Interrogatories "that the 1st prisoner had said *he would be responsible for all the consequences.*" (972) And the 17th prisoner, in the 41th article of his Interrogatories states "that he considers Prinslo as the principal Author of the disturbances in Graaff Reinnet," (973) adding "and I am extremely surprized at it, for he is a man that lives like a fish in the water, and yet he is always the first in the disturbances."

(974) And the two first prisoners—who both accuse Coenraad de Buys—as well as all the other prisoners, none excepted, have fully declared that neither their Field Commandants nor their Field Cornets, (975) to whom alone they acknowledge belongs the calling the people to arms in case of necessity, (976) have not only not meddled with the matter, (977) but that the Field Cornet Jan Strydom had even opposed the 2nd prisoner's application to him for the purpose, (978) and repaired to the Landdrost for orders, (979) *vide* the 94th to the 98th article of the 2nd prisoner's own Interrogatories, and also the 56th to the 62nd article of his son's, the 12th prisoner.

(980) And it has most incontestably appeared in the course of the Trial (981) that Coenraad de Buys was really written for from Caffraria, (982) in order now to renew the former Graaff Reinnet Patriotism, (983) and that further the principal Crime, (984) namely *the forming a Camp at Coega*, (985) and the *Commanding or calling people to arms against the Troops of Government*, (986) has been committed by the prisoners, and took place at the time that Coenraad de Buys, who had not a single Caffer with him, (987) and when, altho' a Vagrant and Outlaw, the prisoners in their Letter of the 28th January 1799—*vide* the paper here sub

L^a O No. 1 subjoined—nevertheless style *the honest Protector of our Country*, (988) was already returned into Caffraria.

(989) The 1st prisoner himself was aware that this excuse would be to no purpose for him, (990) when being asked in the 201st article of his Interrogatories “whether the favours which Government had conferred on the District Graaff Reinnet, by remitting their arrears of Land Rents, by allowing Lands Rent free for 6 years, &c., &c., should not in gratitude have bound them at least to a quiet and peaceable behaviour,” (991) he answers in substance “this I intended to do, but the bad letter of Jan Botha has seduced me, would I had never received that Letter, or that it was burned.”

(992) In addition to the aforestated frivolous excuse, (993) which cannot certainly as to the prisoners’ crimes come into the slightest consideration, (994) as the same, being for a moment admitted, (995) could never be looked upon in any other light (996) than as an advice or threat of a single defenceless individual, (997) who cannot possibly be considered able to cause such terror (998) as to render crimes, and especially Crimen Læsæ Majestatis, excusable, (999) more especially in a case where the Crimes were actually committed (1000) at a time the Criminals were out of the reach of such a person.

(1001) The 4th prisoner Gerrit Rautenbach in particular has pretended (1002) that he had repaired to the Camp at Coega upon the intelligence he received of his wife’s having been apprehended by General Vandeleur’s commands, (1003) which occurrence cannot however operate in the prisoner’s favour, (1004) because no act of a Government (1005) which the prisoner is in duty bound to respect (1006) can justify his taking up arms against it, (1007) much less his putting himself at the head of a number of armed Men, (1008) who had formed a Camp against the Troops of their Sovereign, (1009) this the prisoner seems to have felt himself, (1010) he being asked in the 71st article of his Interrogatories whether he must not confess to have violated by his conduct the solemn engagement of the Oath, and therefore to be highly guilty, (1011) answering “yes, this I confess, I have sinned, against Government have I sinned, for *I should have kept myself from Coega.*”

(1012) Some of the prisoners have endeavoured by pretending to help themselves (1013) they were by the other prisoners

requested or ordered to commit some acts or other, (1014) for instance the 8th prisoner, relative to the writing with a pencil at Coega the letter to the 1st prisoner, (1015) and the 9th & 10th prisoners, with regard to the Letter to the Inhabitants of the long Kloof and the District of Swellendam, &c., (1016) but neither can this kind of excuse in the present case avail, (1017) the writing of similar Letters constituting of itself the real Crime of High Treason, (1018) and the occasion or motive thereof not being able ever to justify the fact, (1019) as there is an Axiom in Law that *in rebus illicitis mandatum* does not justify him that suffers himself to be employed on any thing he knows, *may or should know*, to be criminal, (1020) and that more especially in the *Crimen Majestatis* he who from any incompetent order executes anything that endangers the public safety or prosperity of the Country, (1021) or uses his endeavours towards that execution, (1022) is as punishable as the Mandans or Orderer himself, (1023) *vide* Van den Berg's *Netherlands Advice Book 2nd Vol. Consult 17th*, who just there treats of a similar question in case of *Læse Majestatis*.

(1024) Finally, the 18th prisoner as the least guilty has endeavoured to exculpate himself entirely (1025) by stating in general (1026) to have repaired to the mutinous assembly without arms and unintentionally, (1027) nay in the 19th article of his Interrogatory (1028) "that the Landdrost had commissioned him to tell such of the Men at the 2nd Drift as were his friends that they should return to their homes and desist from their plan," (1029) whereas not only the Landdrost in his official Letter of the 24th May 1799, hereunto subjoined sub L^a L L, states the prisoner to have taken a very active part in the late disturbances, (1030) so much so that the Landdrost petitions the Government to banish him from the District of Graaff Reinet for the preservation of the public peace, (1031) but the falsehood of this pretension also most evidently appears from his further Trial, (1032) when the prisoner in the 46th & 47th articles states that during the Disturbances at the 2nd Drift, (1033) de Beer had invited the Men that belonged to *the voice of the people* to come to eat & drink gratis at his house at Graaff Reinet, (1034) in which the prisoner, N B, likewise lodged, (1035) and did not once during all that time wait upon the Landdrost, *vide* the 48th article, (1036) which would not certainly have been the case had the prisoner

been commissioned by the Landdrost, and had he endeavoured to contribute in the smallest degree towards reestablishing good order, (1037) so that this circumstance alone affords sufficient reason to give full Credit to the Landdrost's aforesaid official statement, (1038) and to pay not the least attention to the prisoner's aforesaid groundless assertion, (1039) calculated only to make himself, although he is in the course of this suit considered as one of the least guilty, (1040) if possible pass as entirely innocent.

(1041) Among the Documents herewith presented the Fiscal has the honor to lay before the Court three Letters marked L^a X Nos. 1, 2, 3; (1042) one of the 20th January 1799 written by Carolus Fredrik Tregard & B. C. Greyling, (1043) a ditto of the 27th February 1799 written by the Field Commandant Hendrik Janze van Rensburg, (1044) and a ditto of the 7th March 1799 written by the Field Cornet G. D. Geere, (1045) all of them addressed to the Landdrost of Graaff Reinet, (1046) in which the said Field Officers complain of the rebellious conduct of the prisoners, (1047) and assure their Landdrost that neither they nor the well disposed Inhabitants are concerned in it, (1048) and apply to him not only for his advice & orders how they were to act in that predicament, (1049) but also and more especially requested he would take care of the good Inhabitants, (1050) that they might not be considered as disobedient or criminal like the others, (1051) the first of the said Letters stating "now as we can easily conceive such an attempt must have bad consequences, we, none of us having meddled with it, and all of us intending to continue dutiful, request you will keep us in your kind remembrance, and protect us against the dreadful consequences."

(1052) And the second Letter, "I trust you will take care of the Loyal subjects, &c. I also request you will give Certificates to the good Burghers, for the Government to be enabled to distinguish them from the bad ones." (1053) And the 3rd Letter, "Pray, Sir, have a heart of Compassion upon us, not that I desire anything for the Cruel Men, grant me your advice that I may further behave dutifully and assist the few good ones."

(1054) This was the behaviour of the good Inhabitants, who would not take any part of the prisoners' rebellion; (1055) they applied, as was their duty, to their lawful officers and Field Cornets, (1056) who having encouraged them dutifully to continue in that conduct, (1057) acquainted the Landdrost with the occur-

rence, and applied for his advice & protection, that they might not be considered as Rebels.

(1058) This too defeats the pretence of the prisoners, (1059) and shows the conduct which the good and well disposed Inhabitants of Graaff Reinet, who loved peace and good order, (1060) observed and were able to observe, just at the period of the greatest confusion, in order not to be comprised among other Criminals.

(1061) Moreover it cannot avail to the prisoners (1062) to have in this case transgressed against the *present Government*, (1063) nor can such a notion afford any excuse, exculpation, or any ground for any mitigation of punishment, (1064) as the prisoners being according to the Common Law lawful subjects of the Government, (1065) were, from that Law alone, independent of the Oath of Allegiance they acknowledge to have duly taken, liable to *commit Crimen Læsæ Majestatis* against the present Government.

(1066) Any person becoming a subject (1067) either from *nature* or from *Law*, (1068) from *nature* by *Birth*, (1069) and from *Law* by being admitted an Inhabitant of any place, by having settled there, or by being *subjected by arms* to another Government, (1070) *vide* Matthæus de Crim Lib 48 D Tit 2 Cap 1 No. 7, Moorman of the Crimes 1 Book Cap 2 P 8, and Voet cod ad Lib 48 ff Tit 4, (1071) which latter explains himself in P 4 on the subject thus: "Crimen læsæ Majestatis is committed only by those that are subjected to the power, either from their residence, from their being *conquered* or *admitted*, or from their origin or birth, and who therefore are either from nature or Law in duty bound to respect the Sovereign," (1072) so that the taking the Oath of Allegiance was not even necessary to render the prisoners guilty of the *Crimen Læsæ Majestatis* against the present Government.

(1073) Neither were the prisoners suffered to be ignorant on the subject, (1074) the same being very clearly explained to them by the Letter which His Excellency General Craig took the trouble to address to the Inhabitants of Graaff Reinet on the 31st December 1796, (1075) which letter, here under L^a H H H No. 14 subjoined, was not only found among the 1st prisoner's papers, (1076) but also by him in the 199th article of his Interrogatories acknowledged to have been received and circulated.

(1077) The prisoners were also not instantly seized upon by Government for this Crime, (1078) nor apprehended, dragged

hither, and prosecuted for *the first offence*, (1079) no, on the contrary Government has these four years used every possible patience and forbearance towards all the Mutinous Inhabitants of Graaff Reinet. (1080) Government at the Surrender of this Colony to His Majesty in 1795 found the District Graaff Reinet in a complete state of anarchy, (1081) they had declared themselves absolved from their allegiance to the former Dutch Government, expelled the Landdrost & Minister from the District, and substituted there the Law of the strongest for that of good order. (1082) The present Government did not wish to take cognizance of these Transactions, (1083) but on the contrary declared by Letter so early as the 23rd November 1795, that all that had passed should be buried in oblivion and considered as though it had never existed.

(1084) General Craig did already by his said Letter endeavour by Gentle means to render the prisoners sensible of the happiness and prosperity which the Inhabitants of the remote Districts would experience from peace and good order. (1085) He did not even wish to reinstate the former Landdrost expelled without the least reason, but appointed another in his room, and exhorted the Inhabitants to acknowledge him as the Representative of His Majesty in the District Graaff Reinet. (1086) And altho' the prisoners nevertheless expelled the Landdrost & Minister from the District again, (1087) after the latter had experienced the additional vexation (1088) of being interrupted in the pulpit in a Sermon he was preaching at Graaff Reinet on the 20th March 1796 for exhorting the Congregation to peace and good order, (1089) by a calling aloud to him, "Little Manger do but go on, it is your turn to-day, but tomorrow or the day after tomorrow it shall be ours," (1090) *vide* the Landdrost's report bearing date 26th May 1796, hereunto subjoined sub L^a W W W No. 2.

(1091) Yet did Government continue by gentle means and exhortations to endeavour to reclaim the mutinous Inhabitants of Graaff Reinet, and faithfully to warn them of the consequences ; (1092) Witness, first the proclamation of His Excellency General Craig dated 17th February 1796, (1093) second, the Letter of the Landdrost Bresler dated 2nd March 1796, (1094) third, the Letter to the Landdrost Faure, dated 8th March 1796, (1095), fourth, proclamation of the 14th March 1796, (1096) fifth, Letter to the provisional Landdrost Carel David Gerotz, dated 12th September 1796, (1097) sixth, Letter to the provisional Landdrost, Heemraden,

& people of Graaff Reinet, bearing the same date, (1098) seventh, Letter to the Inhabitants of Bruintjes Hoogte and the Zuurveld, dated the 31st December 1796, (1099) eighth, Letter to the provisional Landdrost and Heemraden of Graaff Reinet, dated 2nd January 1797, (1100) all which are merely presented for speculation's sake under L^a H H H Nos. 8 to 13.

(1101) Some of the Inhabitants however of the Cambdebo and Sneeuwbergen in the District of Graaff Reinet, who valued good order, (1102) addressed and petitioned thereupon the said General would reinstate a proper Magistracy, and by so doing reestablish good order in that District again.

(1103) This example was followed by the Mutinous also of Bruintjes Hoogte and Zuurveld, in their Letter to the said General dated 12th November 1796, (1104) hereunto subjoined sub L^a H H H No. 3, (1105) requesting among other things "their being allowed to occupy a parcel of Land on the other side of the Groot Vis River unto the Katte River," (1106) and also "their being acquitted of the arrears of Land Rents," (1107) upon which Letter the said General gave himself the Trouble in his answer to enter into a minute detail on every subject that could tend to restore peace and tranquillity to the District Graaff Reinet, (1108) stating among other things in the said Letter, "I shall therefore not scruple to enter into the most explicit discussion of every point of your Letter, in the hope that I shall convince you of the benevolent and paternal intention of His Majesty, and that you will thereby be induced to abandon the wild and chimerical ideas which I fear have been too successfully propagated among you, and return to that state of tranquillity and subjection to the Laws which can alone insure your happiness and prosperity."

(1109) And in another passage: "your next demand—namely to occupy a parcel of Land in Caffraria—can only be excused on account of your ignorance of the principles upon which the British Government is founded; with what face can you ask of me to allow you to occupy Lands which belong to other people, what right can I have to give you the property of others, and what blessing or protection could I expect from God were I to cause, or even to encourage, such a gross and glaring act of injustice? Would not the Caffers defend their right, and should I not in every view of morality and religion be responsible for every life that would be lost in such a contest as a Murder. Reflect one moment what

would be your own sensation were you to hear that I was even debating on a proposal which might be made to me to turn you out of your Farms and to give them to others, and I am sure you will feel regret at having desired me to allow you to do that which you would consider as the highest act of cruelty and injustice if done to you. Cultivate the friendship and good will of the Caffers, receive them with kindness and hospitality, and if hereafter an extension of Limits be wanted, it may be in the power of Government to procure it by purchase or by agreement, on terms of mutual conveniency; but no want can excuse an injustice, and it would not be to be wondered at if providence in his wrath was to blast with the curse of sterility Lands procured by the violation of His Commands."

(1110) Adding his having represented to His Majesty the Situation of the Inhabitants of Graaff Reinets, as well as their inability of discharging the arrears of Land Rents, and his daily expectation of a gracious answer on the subject, (1111) and concluding that Letter with this striking passage: "I earnestly exhort you to lay aside all jealousy and distrust, to abandon the absurd and chimerical notion of an independent Government, which fools and Traitors have inspired you with to your ruin, tho' possibly for their Benefit, and to concur with the rest of your Fellow Burghers in a submission to lawful authority and a restoration of law & order. I promise you that all that has hitherto passed shall be buried in oblivion, and that your interest and prosperity will be the object of the care of His Majesty's Government; on the other hand I must warn you not to disregard this exhortation, the peace of the Colony must *no longer* be disturbed, any further resistance will be considered as Rebellion, and speedy and effectual means shall be taken to crush it; above all remember that every act of violence, should you dare to permit yourselves to commit such, on any one living in peace and submission to Government shall be punished with the most exemplary severity."

(1112) His Excellency the Earl of Macartney, on his arrival as Governor of this Colony, (1113) sent the Landdrost of Graaff Reinets, who having been expelled the District was then still in Cape Town, (1114) in the Month of June 1797 back again to Graaff Reinets, (1115) provided not only with the necessary Instructions remitting all the arrears of Land rents throughout the whole Colony, (1116) and at the same time dispensing with the payment of those Rents

for a considerable number of Farms in Graaff Reinet for six years to come, (1117) but also with another energetic Letter directed to the Inhabitants, (1118) declaring all that had passed to be forgiven, (1119) and most earnestly exhorting them to behave quietly and peaceably, (1120) which then caused them to take the Oath of Allegiance before the Landdrost, (1121) *vide* the said Letter and Instructions, dated 20th of June 1798, hereunto annexed sub L^a H H H No. 16 & 17.

(1122) Thus, far from having proceeded against them with the least precipitation, (1123) Government on the contrary tried, tho' in vain as to some of them, all possible gentle means to reclaim the Mutineers of Graaff Reinet from their wild ideas and propensity to anarchy, (1124) and to represent to them the danger they ran by committing those Crimes again, (1125) in so much that Government have displayed a most inconceivable patience indeed, (1126) which at length, it must be allowed, caused some of the ill-disposed to return again to their duty, (1127) but which experience has taught had no further effect on others, altho' they had taken the Oath of Allegiance, (1128) than until they thought there was a proper opportunity to disturb the District and there again to subvert all good order.

(1129) Now if on the above stated principle the Judge, in any doubtful case with regard to the *Crimen Læsæ Majestatis*, is to consider (1130) whether the Delinquents had committed any similar Crime before, (1131) whether he be known to be a mutinous or ill-disposed person, (1132) then the prisoners indeed, (1133) who most of them have always taken part in the aforesaid disturbances, (1134) have but little benefit to hope from the scrutiny of their assigned excuses, (1135) which being compared with these circumstances cannot but be considered entirely void, (1136) more especially as to the 2nd prisoner, (1137) respecting whom there is still extant a Resolution taken by the former Government on the 9th January 1795, (1138) hereunto subjoined, L^a H H H No. 15, for mere speculation's sake, (1139) by which he already at that time is described *to be the first author of the plan* as pernicious as dangerous in the District Graaff Reinet, (1140) and given over to the prosecution of the Fiscal, (1141) but which prosecution was dropped on account of the Surrender of the Colony.

(1142) There also occurs in the said General Craig's Letter of the 12th September 1796, relative to the 2nd prisoner and the

transactions in Graaff Reinet in that year, the following words: "Jaarsveld must also be sensible that his conduct has been in a very particular manner reprehensible, he has signed the submission which I have received from you, and I am therefore willing, in the general system of lenity which I have adopted, to pass his behaviour over, but let him reflect upon what would have been the consequence to himself, to his Family, to his friends and his Country, if the King's Troops had proceeded and reached your Colony, he possibly might have escaped personal punishment, but his Farm being burnt, his Cattle plundered or destroyed, and himself proscribed as a public enemy, where would he have carried his miserable existence? I trust that he will seriously think on this; and that his future behaviour will show that he had a proper sense of the lenity of that Government which can excuse a conduct so reprehensible as his has been," (1143) which Letter and the Contents thereof the 2nd prisoner in the 119th article of his Interrogatory acknowledged to have been duly acquainted with.

(1144) It is therefore, Gentlemen, evident that the prisoners, insensible to any exhortation, warning, or favour, were past all reformation, (1145) that their Sovereign pursued every possible means even to prevent their Crime, (1146) and that they nevertheless greedily embraced the first opportunity that appeared proper (1147) so atrociously to offend Government again.

(1148) The Fiscal, herewith dismissing the subject of the reasons assigned by the prisoners in their defence, (1149) is now lastly to state (1150) the punishment the prisoners are severally to be considered to have incurred.

(1151) If the mode of punishing under the former Government, (1152) by whose laws the prisoners are at present tried, (1153) had like the laws themselves been continued, (1154) then no doubt (1155) the four first prisoners, (1156) who, on account of the aggravation of their Crimes, are as the most culpable to be distinguished from the others, (1157) should, from what has been argued from the 536th article and following, and more especially from the 557th to the 575th articles of these presents, (1158) be, to be punished with one of the severest capital punishments, (1158½) applicable to the *Crimen Perduellionis*.

(1159) But as the present Government did on the 17th May 1797 (1160) abolish the gradation of capital punishment, (1161) the Fiscal is of opinion that they with the 5th, 6th, 7th, & 8th

Prisoners, are to undergo such capital punishment (1162) as since that abolition has been practised here, (1163) and that as to the 9th and 10th prisoners, however atrocious the crime may be (1164) and however deserving a similar capital punishment they may appear in Law, (1165) he however with submission thinks it incumbent on him to observe to your Worships (1166) that it does not appear (1167) that the 9th & 10th prisoners have meddled either with the former or late disturbances in Graaff Reinet, (1168) they being most unexpectedly when in March 1799 the Country Districts were in a state of general confusion (1169) called upon to write and dispatch the paper which constitutes their Crime, (1170) and which not long afterwards got into the hands of the Landdrost of Zwellendam, (1171) without having effected any thing, or made a single Man take up arms.

(1172) Wherefore, (1173) and more especially on account of the principal Delinquents having been declared liable to Capital punishment, (1174) the Fiscal is of opinion they with the 11th & 12th prisoners (1175) may be exempted from the Capital punishment otherwise deserved, (1176) and satisfy Justice by undergoing the *pœna morti proxima*.

(1177) And the Fiscal is further to observe, with regard to the 13th prisoner, (1178) that there do not in his Crime itself occur any aggravating particulars, (1179) at least not so as to put him on a level with the other prisoners, (1180) he appearing to have been even sick during his short stay in the Camp at Coega.

(1181) And as to the 14th prisoner, that tho' he repaired to and staid at Coega in arms, (1182) he has not however received any requisitory note for that purpose, (1183) but, just going to fetch salt, was casually informed by a young Man (1184) that English Ships were arrived in Zwartkops Bay, and that at Coega there were some people assembled.

(1185) And also as to the 15th & 16th prisoners, (1186) that their Crime singly consisting in (1187) that they assisted in rescuing Van Jaarsveld, (1188) without being the principal concerned in the transaction, (1189) falls under the description of *public violence*.

(1190) Likewise that of the 17th & 18th prisoners, (1191) these having repeatedly attended a number of mutinous disturbers of the public peace, (1192) and participated in those disturbances, (1193) so that the Fiscal with all due submission thinks himself

warranted (1194) to urge with regard to the six last prisoners (1195) those law arguments which purport (1196) that accomplices in the crime of *public violence*, (1197) who are not to be considered as the Chief *Ringleaders*, (1198) are like those that *mutiny or participate in Mutiny*, (1199) to be distinguished from the principal Mutineers, (1200) and always according to the nature of the case punished merely *arbitrio Judicis*, (1201) vide Moorman 1st Book Ch. 3 P 4 & 5 Matthæus cod Lib 48 Tit 2 No. 6, (1202) the latter stating in the cited place Tit 18 Ch 4 No. 3, (1203) "in the case where a large number have offended so as to be dangerous or cruel to punish all of them, it is better to have the Ringleaders or Chiefs of the faction punished, that punishment may extend to *few*, but *fear* to many," (1204) the reason hereof is very justly assigned by Matthæus to be (1205) "because the multitude offend seldom without a leader."

(1206) *Very Justly* says the Fiscal, (1207) for as Seneca observes, "each follows his leader," (1208) and deserves excuse because of his having as it were gone astray on the public road. For which and other reasons, to be additionally adduced if required, the Fiscal by virtue of his office Prosecutor, making demand moves that the *Fourteen* first prisoners mentioned at the head of these presents be, by your Worships, definitively sentenced to be led to the place where in this Colony criminal sentences are usually executed, and there, being delivered over to the Executioner, the Eight first prisoners

- 1 Marthinus Prinslo
- 2 Adriaan van Jaarsveld, Senior
- 3 Theunis Botha
- 4 Gert Hendrik Rautenbach
- 5 Barend Jacobus Bester
- 6 Jean Isaac Bonté
- 7 Petrus Fredrik Rautenbach &
- 8 Godlieb Ertman Christiaan Koch

be punished with the halter at the Gallows until Death ensueth, Further the Corpses of the four first prisoners, being dragged to the Out Gallows, there to be hanged again, in order so to remain until the birds of prey shall have consumed them away, and the Corpses of the 5th, 6th, 7th & 8th prisoners being laid in a Coffin, to be interred under the Out Gallows.

That the 9th & 10th prisoners Gerhardus Scheepers & Pieter Ignatius van Kamer each of them an halter round his neck exposed under the Gallows, be further with the 11th Prisoner Lucas Meyer and the 12th Prisoner Zacharias Albertus van Jaarsveld bound to a stake, severely whipped on their bare backs, branded and banished this Colony and the Dependencies thereof, during the time of their natural lives.

That the 13th & 14th prisoners Willem Grobbelaar and Jacob Johannes Kruger having witnessed the aforesaid Execution, be banished this Colony for a term of Twenty-five years.

That the 15th prisoner Willem Venter and the 16th prisoner Paul Venter be sentenced, the former to an imprisonment during Five, and the latter Three years.

And lastly that the 17th prisoner Gerrit Botha and the 18th prisoner Johannes Kruger, Senior, on account of their long detention be each of them confined for a term of four weeks on water & bread, yet none of the Six last prisoners to be allowed ever to settle again in the Drostdy Graaff Reinet.

With Sentence for the prisoners to pay the Costs & fees of Justice, and that it may please your Worships for reasons assigned in the 424th to 438th articles of these presents to absolve Jacobus Scheepers and Piet Grobbelaar, still confined in the Castle, from the Judicial arrest decreed against them on the 20th May last, or to award such other Sentence as your Worships may think just.

(Signed) W. S. VAN RYNEVELD.

Laid before the Court the August 1800.

[Copy.]

Sentence of the Court.

Whereas

1	Marthinus Prinslo	aged 51 Years
2	Adriaan van Jaarsveld, Senior	" 57 "
3	Theunis Botha	" 50 "
4	Gert Hendrik Rautenbach	" 31 "
5	Barend Jacobus Bester	" 35 "

6	Jean Izaak Bonté . . .	aged 37 Years
7	Petrus Frederik Rautenbach .	„ 31 „
8	Godlieb Ertman Christiaan Koch.	„ 42 „
9	Gerhardus Scheepers . . .	„ 32 „
10	Pieter Ignatius van Kamer .	„ 41 „
11	Lucas Meyer	„ 47 „
12	Zacharias Albertus van Jaarsveld	„ 29 „
13	Willem Grobbelaar . . .	„ 41 „
14	Jacob Johannes Kruger . .	„ 58 „
15	Willem Venter	„ 39 „
16	Paul Venter	„ 47 „
17	Gerrit Botha	„ 44 „
18	Johan Kruger, Senior . .	„ 54 „

All Inhabitants of the Colony Graaff Reinet and Prisoners at present, have freely confessed, and it moreover evidently appeared by the documents of their process that have been exhibited to the Honourable Court of Justice of this Government,

That the Second said prisoner Van Jaarsveld being indebted to the Orphan Department a Capital amounting to Eleven thousand Guilders India value, for which he Mortgaged the buildings of his Loan place named *De Vreede* Situated at the bottom of the Nieuwe Veldsberg, and whereas he the said prisoner did not pay the Rents of the said Capital during several Years, viz. since 1790, the said Orphan department therefore thought it necessary to give him Warning for the repayment of the said Capital.

That the said second Prisoner being arrived at the Metropolis paid to Proctor Bernhardus de Waal, who was agent to the said Department, the rents up to the last December 1791 amounting to Rixdollars 441, for which he received a regular receipt on the 16th April 1794, with which he departed to his home.

That some time after the Judicatory Messenger of Graaff Reinet, Gustaaf Erling, having exploited on the 30th March 1798 to the Second Prisoner a Summons for the purpose of repaying the aforesaid Capital with the rents, according to the Condemnation of the Court of Justice, he the said second Prisoner answered the said Messenger that he did not owe so much for Rents as was mentioned in the Sentence, because he had paid the Same N B up to the last December 1794, delivering at the same time to the said Messenger the aforesaid receipt as a proof of what he said.

That on examining the said Receipt it evidently appeared to have been falsified by having the last number 1 of the year 1791 until which Time it was said the Rents had been paid, by having altered or changed the 1. into 4, forming by those means 1794 out of 1791, which forgery appeared more clearly when at the requisition of the Deputy Fiscal, Petrus. Diemel, transacting in the Criminal Causes of the Landdrost of Graaff Reinet, the Court of Commissioners examined the Accounts of the Arrears of rents of the Capitals of the Orphan Chamber together with those accounts which the said Proctor de Waal kept on that subject, which proceeding consequently proved to the said Court that the rents had actually been paid only up to the Year 1791 by the 2nd prisoner, wherefore the said Deputy Fiscal addressed the Court of Justice by a Petition requesting a Mandate which he obtained by a decree of the 31st May 1798 per missive sealed with the Great Seal of the Court, by which Mandate the 2nd prisoner was Summoned *personally* to appear before the Court of Justice within the space of Six Months, allowing this period on account of his dwelling in so remote a part, in order to hear such prosecution, demand or request as would be stated against him, the 2nd prisoner, in the Name of the Landdrost of Graaff Reinet, in regard of the aforesaid Fraud, and defend himself against this accusation and proceed as the Law directs.

That though the 2nd prisoner promised the Messenger who Served the Summons—vide his report—That on the day that was Stipulated, the 29th November 1798, he would appear at the place he was required, yet when the Cause was regularly recorded on the 29th November 1798 he did not present himself before the Court, for which reason there was decerned in judicio for the benefit of the first default, in consequence of the 53 Art: of the Ordinances in regard of the manner of carrying on Law Suits in Criminal Cases, *Corporal Apprehension* of the Summoned Adriaan van Jaarsveld, which said decree was sent to the Landdrost of Graaff Reinet, Frans Reinhard Bresler, to be served on the said second prisoner.

That the said Landdrost having received this decree, did send the Messenger of his Jurisdiction in order to notify to the 2nd prisoner that he should appear before him on the 17th January 1799, and being arrived, made the Secretary read the same to him, that the 2nd prisoner then answered substantially "Sir I am afraid

this will cause a disturbance among the people," that notwithstanding the 2nd prisoner had been put under arrest in one of the Rooms of the Landdrost's house in order to be escorted the ensuing day to the Cape.

That the said Landdrost having received intelligence that near Zwartkops River and especially behind Bruintjes Hoogte some of the Inhabitants intended to commit irregularities, and having been repeatedly Eye Witness to the Motions of Revolt that were made in the District of Graaff Reinnet, in which transactions the two first mentioned prisoners particularly Signalized themselves, and whereas the Striking answer he received of the second prisoner convinced him that his Suspicion was not without foundation; he therefore thought proper to take some effectual precaution in sending the second prisoner to the Metropolis, in consequence of which he not only gave the second prisoner in charge of a Sergeant and Two Dragoons who the ensuing day conducted him in a waggon of Secretary Oertel who himself departed for Cape Town towards that place, but at the same time, being informed on the 19th January that some of the Inhabitants of Graaff Reinnet would rescue the 2nd prisoner, he therefore immediately sent the Corporal and four Dragoons that remained at his house to protect the waggon of the said Secretary Oertel, in order to assist and conduct the aforesaid Sergeant through the place that is called Poort. That further the Landdrost on the 20th January, divine Service being over, caused the bells to be rung and acquainted the Inhabitants with the reason why the prisoner had been apprehended and sent to the Cape, exhorting them to conduct themselves in a peaceable manner and to forbear opposing the commands of those who were charged with the administration of Justice. That the said Corporal with his four Men who had been detached returned on the 21st of the said Month to the Drostdy with a letter from Secretary Oertel notifying that all was well and that he therefore sent these men back.

That the 1st of the Prisoners Marthinus Prinslo, who dwells behind the Bruintjes Hoogte, having in the meanwhile heard of the apprehension of the 2nd prisoner and that he was sent to the Cape, immediately commanded a body of men to arm themselves with Muskets, Powder, and balls and assemble in order to rescue the 2nd Prisoner. That in consequence of this these men did repair to and join at Jacob and Carel Erasmus's place under the

Command of the first prisoner, who himself departed armed for that purpose in the night of the 19th and 20th January from his place.

That the first prisoner at the head of this Cohort, among which was the 11th, 14th, 15th, and 16th prisoners, they overtook the waggon of Secretary Oertel on the 21st January, and made halt at a distance of about 160 paces, when they dispatched Pieter Erasmus and Barend de Clercq to demand the Second Prisoner from those who had him under their care, that these said persons conform to their order approached the Waggon and executed their commission, adding that if they did not Voluntarily deliver up Van Jaarsveld he would be rescued by Violent and *bloody* means.

That these persons demand having been refused, to which the Sergeant added he was ordered not to deliver the 2nd prisoner, and should it happen that Violence would be employed, he was to blow his Brains out and defend himself as long as he could, they returned to the 1st prisoner, reporting to him what reception they received. That hereupon the 1st prisoner accompanied by his Men approached the Waggon and repeated his demand threatening that in case of a refusal he would employ Violence, and that in that case a Slaughter would ensue.

That notwithstanding the Secretary Oertel represented to the first prisoner and his men the bad consequences their plan would draw upon them, assuring them at the same time that Van Jaarsveld was sent to the Cape not on account of what formerly happened at Graaff Reinet, but because he had forged a receipt, & exhorting them also to let him depart for that reason, and that he might have an opportunity for defending himself on this Subject, &c., notwithstanding all those representations and admonitions the first prisoner repeated his demand, saying in addition to it 130 Men were in readiness behind the hill, that they had sent him, and further substantially "There is a second matter which has already reached the long Kloof and which will break out at the first opportunity."

That the Sergeant, though showing himself unwilling to deliver up the said Van Jaarsveld, at last on being threatened and having been asked for the prisoner the third time, did take Secretary Oertel aside, saying to him that he was ready to obey his Orders, but that his force was too weak, that they hereupon unanimously thought proper to deliver the 2nd Prisoner to the first and his

armed band, which they actually did, the 2nd prisoner having at the same time told them "Men you had better let me go, you render both me and yourselves unfortunate."

That the 2nd prisoner in this manner did with the 1st prisoner and his Men depart and went in the first place to the place of Dirk van den Bergh, from whence the second prisoner at the request of the 1st wrote to A. P. Burgers a letter in which he acquainted him that the 2nd prisoner had been rescued, requiring of him at the same time that he should come to him, and mentioning about a letter which was sent at the same time to the said Burgers in which *the great Intention which had operated before would appear*, with this addition "We shall expect your speedy arrival at Graaff Reinet in order to assist the good intended decree of the Council with your Judgment. Malta that impregnable place has been taken some months ago by the National Convention, Bengal and Ceylon shared the same fate, Salute, &c." That at the same day a note was wrote, by which some men were commanded in the name of the people to be present at the place of P. Rautenbach, the 7th prisoner, on the 25th January, with arms and ball cartridges, that however the writer of the said requisitory note has not been discovered.

That the 3rd prisoner having also headed some armed Men and rode to the River of Graaff Reinet, the 1st prisoner and the 2nd and some of the others accompanied by about 100 or more, mostly armed, repaired to the place that is called the 2nd drift, situated near the Drostdy of Graaff Reinet. That both the Transaction with the Second Prisoner and the appearing of so many armed people induced the Landdrost and Senate to shew as much compliance as they possibly could, in order to calm the minds, and whereas their strength was too insignificant to face the 1st prisoner and his revolting Horde, patiently expecting at the same time the assistance of the Metropolis in order to quell the insurrection and reestablish good order. That consequent to this disposition they resolved to dispatch the Senators Hermanus Olivier and Andries Adriaan Smit to go to the people that were assembled in order to inquire into the nature of their proceedings, that having repaired thither they received for answer that the body of Men had assembled there to ask for what reason Van Jaarsveld had been apprehended and sent away, and at the same time to ask some things that were reasonable.

That hereupon the first prisoner together with 3 other prisoners did appear in the Assembly and notified that the discontentment of the Inhabitants proceeded from the apprehension and sending away the 2nd prisoner, without bringing him to a Trial, about the troubles that formerly took place at Graaff Reinet, and that they feared the same might happen to others, &c.

That notwithstanding the Landdrost assured the 1st prisoner again that Van Jaarsveld had been sent to the Cape for no other reason but on account of his having forged a receipt and that this transportation would have been effectuated by virtue of a Judicatory decree, they nevertheless insisted on having him set at liberty on giving bail provisionally, when particularly the first prisoner requested in the name of some of his Co-Inhabitants that a representation would be made to Government, viz. that the Inhabitants adjacent to Groot Vis River might be allowed to drive their Cattle in Caffraria. That during the Landdrosts and Senates deliberation on this subject, they perceived that several people of Sneeuwbergen returned to their places, so that after the Session was terminated there remained no more than about thirty persons of the Insurgents that were commanded by the 1st prisoner, with which number it seems their commander did not think proper to undertake anything further. That meanwhile the Landdrost and Senate caused a copy to be given to the first prisoner of the Letter which they resolved to send to Government in respect of the prisoner Van Jaarsveld and the proposition which the 1st prisoner made relative to the places on the other side of Groot Vis River, this said Copy having been issued at the requisition of the 1st said prisoner.

That the first said prisoner did quit the second drift of the Drostdy with his horde the ensuing day, and all of them being returned to their places he held a second meeting at his place the 28th January with the 4th, 5th, & 7th prisoners and several other persons, among whom was Jan Botha and Coenraad de Buys, which latter had absconded from this Colony in the Dutch time, residing since like a vagabond among the Caffers on the other side of Great Vis River, where he kept a Caffer woman for his wife, agreeable to the Custom of that Nation, by which he had several Children, for which reason the present Government would not admit him in this Settlement, & considering him a Vagrant they therefore outlawed the same, notwithstanding which it evidently

appears by the Confession of the 4th, 5th, 6th, 7th, & 14th prisoners and different circumstances that the aforesaid Coenraad de Buys received intelligence of the first prisoner about what happened with Van Jaarsveld, and that for that reason he left Caffraria and returned to his place.

That at that time they resolved, and it appears that more than a Month previous to the Transaction with Van Jaarsveld the first or chief Ringleaders of the Mutineers had combined to renew the Old Graaff Reinets patriotism, by which some of the prisoners meant to conquer the Colony Graaff Reinets by the assistance of the Caffers, in short to retake the Cape, as they called it, and a third party intended to carry off the Landdrost of Graaff Reinets and his family from the Drostdy.

That at the same time the aforesaid congregation wrote, read to the people, and sent away a letter directed *To our Good-natured and faithful Co-Inhabitant J. P. van der Walt*, signed *the general Voice of the People*; that among other things there was said in the same letter "That the Plan of the people in general extended to Gamtouw's River, Zwartkops River, and Bushman's River, in order to retake the Colony, &c." That after this both the said Coenraad de Buys and the first prisoner sent several letters in circulation for commanding or calling people to arms, to be present at Graaff Reinets equipped with ammunition on the 12th of February next, and some of the principal insurgents repaired to the place of Jan Bosch 2 days previous to the stipulated time, viz. the 10th February, in order to see if the number of men would be sufficient to execute the plan they meditated; that there the said Coenraad de Buys, the 1st and 2nd prisoners, Jan Botha and Jan Bosch held a meeting in which they resolved to deliver the Landdrost into the hands of C. Buys.

That the prisoners apparently on account of the Veldwagmeesters Hendrik Jansen van Rensburg and Thomas Dreyer, and others who faithfully adhered to their Duty and showed quite opposite Sentiments, whereas they not only refused to Combine with the prisoners, but even reported in a proper manner what happened in their Districts to the Landdrost, and on the other hand the prisoners finding that their Sommatien procured them but few people, they agreed to postpone their plan to the 17th February and order the people of Zwager's Hoek to assemble also, the Burghers of that District having been ordered by a Letter

Signed the *Voice of the people*, to appear armed on the said date at the Drostdy of Graaff Reinnet, incurring the penalty of being considered as *Traitors to their Country* in case they did not appear; and the prisoners and Coenraad Buys distributed the News of the Landdrost inviting the Caffers against the Inhabitants, by which Story the said persons expected to augment their party, adding to the above that the said Landdrost provided that Nation with powder and balls, and in order to give the pretext some strength they appealed to a letter they got possession of, wrote on the 18th December 1797 to the Veld Commandant H. J. van Rensburg about some Tinderboxes and other Trifles which he sent to the Caffers, in order to preserve good harmony with that Nation; to the Chiefs thereof these small presents were directed, and 30 lbs. of Powder & 60 lbs. of Lead were added, not to be given to the Caffers, but that the said Veld Commandant might make use of it in case he had occasion to send a party on commando.

That the Landdrost having received intelligence per letter of Barend Burgers wife on the 13th February that 25 armed Men were again arrived from Zwartkops River at her place, and whereas 3 armed men were discovered near the Drostdy, and that the Landdrost was strictly guarded and observed betwixt the 14th & 16th of the said month, he therefore took the precaution to keep in readiness the few Dragoons that were stationed at the Drostdy, which occasioned the insurgents to suppose that if they employed Violence at the Drostdy they would meet resistance, that at last on the fixed day or the 17th February they again assembled to the number of 100 or more Armed Men at Barend Burgers, among which number Coenraad Buys and the 2nd prisoner was present, but that the 1st prisoner was absent because one of his Children was ill. That at this place Coenraad de Buys represented to the horde, among other things, that it was necessary to sign a paper; this paper some of the prisoners said was the plan in what manner they were to treat the Landdrost, others said it was the oath of allegiance they were to swear to C. Buys, and others again said it was a kind of conspiracy or engagement of reciprocal fidelity, the real intention thereof however has not been discovered, whereas the said paper was torn to pieces in a dispute that arose among them, notwithstanding some had signed it. That the Reverend Ballot, Minister of the Gospel at Graaff Reinnet, having thought it his duty to repair to the revolvers in order to reconduct them to

their duty, or at least to prevail upon them for not committing personal offences, he succeeded so far as to retard the plan against the Landdrost, satisfying themselves however with giving him many insults, with reproaching the Heemraden, and ordering them not to assemble at the Drostdy, and by detaining others that came there upon business, &c.

That at the same time they formed two ranks at Burgers place in the presence and after the departure of the Revd. Ballot, this being done at the desire of C. Buys that they might be mustered, that their Conduct evidently proved that they had in no means desisted from their plan, and that the admonitions of the Revd. Ballot made so happy an Impression on them, but that the want of a Sufficient number of men made them resolve to postpone the final execution of their Intention to another period; and the day book of the Landdrost shews that the Mutinous motions of the horde continued to the 20th of the said January, and that in the interval of the 19th February about 30 Men barricaded the road to the Cape. The Insurgents having perhaps received information of, or may be expected that Troops were coming, they insolently sent word to the Landdrost and Senate, viz. "That if they did not take care that the Troops would be recalled they would know what they had to do." To which the Landdrost and Senate consented merely to prevent the consequences of Hostilities. That after this the rebels sent a note to the Assembly which the second prisoner wrote, as he says, at the request of *the people*, containing a rule according to which they were to treat the Caffers, viz. that no presents at all were to be sent to them in future.

That the aforesaid Cohort, Coenraad Buys and the 2nd prisoner did quit the Drostdy and the 2nd Drift on the 20th of the said Month, and some of them returned again to the place of the said J. Bosch, among these last mentioned there was C. Buys and Jan Botha, surnamed Botha one hand, which latter was charged with the forming of a Camp near the place called Coega, shortly after the said meeting at Jan Bosch's, that by those means His Majesty's Troops that were expected at Zwartkops River's Bay might be prevented from Landing. That the 1st prisoner who, as he said, remained at home on account of his Child's indisposition, did likewise arrive at the said Bosch's place, and swore a solemn oath to Jan Botha, which contained, according to the confession of some of the prisoners, an engagement of allegiance with Coenraad Buys

& Jan Botha, and according to the saying of others, that he took upon him the task of repulsing the English Troops when advancing. That the 1st prisoner however declared that the Oath tended to nothing else but the remaining faithful to and not discovering or betraying C. Buys and J. Botha. That after this Transaction Coenraad Buys returned to Caffraria, and Jan Botha departed to the aforesaid Camp at Coega, in order to command the band that was to oppose the English Troops at their arrival.

That mean while on the 16th of February Report having been made to Major General Dundas of the Transaction with the 2nd prisoner and of the State of the Colony, His Excellency F. Dundas, Lieutenant Governor at that time, thought proper to detach immediately a sufficient number of Military under the Command of Brigadier General Vandeleur, both by Sea and Land, in order to quell the Insurrection at Graaff Reinnet in the most efficacious manner, and to capture the ringleaders thereof.

That Brigadier General Vandeleur marched from this place with a division of Dragoons and Hottentots on His Majesty's Service on the 17th February, that he was provided both with the necessary instructions and the proclamation which the Lieutenant Governor published on the said date in regard of this case, in which proclamation the respective Inhabitants were strongly and seriously exhorted to keep quietly their home during the march of the Troops, and that in case of disobedience they would incur the penalty that is mentioned in the proclamation. That hereupon the other Division successively departed in two Ships to Zwartkops River, and at their arrival there to continue their march to the Drostdy of Graaff Reinnet.

That Brigadier General Vandeleur being arrived at the Hagelkraal, in the centre of the Colony Zwellendam, on the 26th February he was informed, and had reason to suppose from different circumstances that the Insurgents of Graaff Reinnet were busy with inticing the people of Zwellendam to assist them, he therefore thought it expedient to forbid the people of the said district to pass the Attaquas Kloof, ordering them at the same time strictly to obey the aforesaid proclamation of the 17th February.

That as soon as the Division arrived at Zwartkops Bay the 3rd prisoner, who was at his place situated near the said Bay, sent intelligence by way of an express to Gerrit Oosthuizen and his Brother Johannes Botha.

That the 1st prisoner at whose place the 2nd prisoner resided since the last meeting at Bosch's, conjointly with him the 2nd prisoner repeated their endeavours to command as many persons from all sides, by letters and orders, in order to repair at the Coega, the greatest part of these letters having been wrote by the 2nd prisoner who signed them with the name of the 1st, which Missives were distributed in the Country with the greatest expedition, to that effect that though some people took no notice of it, yet a considerable number armed themselves and came up. That the 2nd prisoner wrote another letter in the name of the 1st on the 6th of the said Month to the Landdrost and Senate of Graaff Reinet, which tended to make them prevail upon the English Troops to return back.

That the Landdrost and Senate not having answered this Missive, the two first said prisoners exerted themselves as much as possible in assembling as many Armed Men at Coega as they could do.

That even the 2nd prisoner personally went thither, but having been taken ill returned, after having sent for the Veld Cornet Jan Strydom, endeavouring to persuade him to join him, that he however openly refused this proposition, declaring that he would go to the Drostdy of his Landdrost and there receive his orders, which he did.

That the 1st prisoner having received successive Reports of the 3rd, 6th, & 7th prisoners, both of the number of Government Troops and the Situation of the Rebel camp at Coega, he continually admonished them per missive to take care that Government Troops could not march into the Country, whilst at the same time the 7th prisoner Pieter Rautenbach made the 8th prisoner write a letter from their Camp, dated the 10th March, by which he indicated in what manner they could oppose the English Troops, and how the Men of Coega might join after that those of the Zoutpans Neck, which letter was publicly read at Coega before it was sent away.

That General Vandeleur having mean while passed the Gamtouws River with his Corps, did meet on the 7th March the 4th prisoner Gerrit Rautenbach betwixt Lourie River and Galgenbosch, who conducted him to his place, from which the Brigadier General proceeded the ensuing day to Algoa Bay, leaving instructions with Major Sherlock, Senior Officer, to cause the proclamation of the

17th February to be read to the 4th prisoner, exhorting him at the same time to remain at his place, which said orders Brigadier Major Sherlock punctually executed. That notwithstanding this the 4th prisoner, having quitted his place, and the Brigadier General Vandeleur hearing that he headed the rebels at Coega, but that at the same time he visited his home from time to time, the General therefore sent some men to apprehend him, but the detachment not finding him at home, they brought away his wife, which was set at liberty some days after. That Jan Botha, one hand, having left Coega in order to gain the Caffers that inhabit this side of Groot Vis River, according to the declaration of some of the prisoners, in which it seems he did not so quickly succeed, the 4th prisoner took upon him not only the Command of the Men at Coega, but even endeavoured to gain the assistance of the people at long Kloof and Zwelldam, for which purpose he among others charged Gerrit Scheepers the 9th prisoner to circulate for that business the necessary letters, which letters have however been of no service to the insurgents, whereas the care the Brigadier General took in regard of cutting off the connections betwixt those districts by the proclamation was of a good effect, and prevented the rebels intention. That at the same time some Boers gave themselves up to General Vandeleur and laid down their arms, and these persons not appearing to be principally concerned he immediately pardoned them; they at the same time informed him that the rebels were joined by a great party of Caffers, and that their intention was to attack him in his Camp.

That General Vandeleur having advanced with his Troops towards Graaff Reinet and the Mutineers at Coega, finding themselves disappointed in regard of the number of Inhabitants that was expected to oppose the English not appearing, and that His Majesty's Troops were close upon their heels, which at the same time caused to vanish the hope they placed in Jan Botha and the Caffers, they first retired to Gerrit Oosthuizen's, and afterwards to the place of Hendrik Janse van Rensburg, and in this manner they disbanded. That whilst General Vandeleur arrived at the Drostdy Graaff Reinet on the 19th March, the Landdrost informed him that during two months he had been in a State of Siege to such a degree that he had been obliged to keep within doors, under the protection of a Sergeant and 7 Dragoons that were stationed at the Drostdy. That after the arrival of General Vandeleur at the

Drostdy, there appeared two delegates of the Rebels, with a request in which the Mutineers submissively asked to be pardoned.

That in the beginning of April the said Brigadier General accompanied by the Landdrost of Graaff Reinet and an escort went to Bruintjes Hoogte, where in the first place he caused the 2nd prisoner and his son Zacharias van Jaarsveld the 12th of the prisoners to be apprehended; and on the 6th of the said Month April the greatest part of the Insurgents commanded by the 1st prisoner appeared in a body and laid down their arms before His Majesty's Troops. That having apprehended those that were most culpable, the General jointly with the Landdrost judged proper to pardon the rest, on paying a penalty to Government, furnishing one or two horses to the Cavalry according to their circumstances, and others that were poor nothing; cautioning all of them at the same time against any future bad conduct: the number of these aforesaid persons amounting to 93.

That there remaining however 27 persons that did belong to the band of Rebels, who did not appear, the General published a proclamation on the 22nd April, by which they were called on by their proper names in order to appear before the 3rd May at the place of Thomas Ignatius Ferreira, and then to deliver up their arms, which order some of them obeyed and brought the muskets, among which Jacobus Scheepers and Piet Grobbelaar have been also apprehended, whilst another party of them among which was Jan Botha, one hand, retired to Caffraria, and lastly the 9th and 10th prisoners were also taken at Zwartkops River, and the whole of the Captives amounting to 20 were sent by H.M. Ship *Rattlesnake* to the Cape. And whereas His Excellency the Lieutenant Governor Major General Dundas received information that the Rebels of Graaff Reinet meant to oppose even Government Troops and moreover endeavoured to draw the people of Zwellendam and other Districts into their pernicious plan, he therefore thought proper to publish a proclamation, by which not only the District of Graaff Reinet where the Rebellion still continued and particularly at *Bruintjes Hoogte*, *Zuurveld*, and *Zwartkops River* were placed under Military Jurisdiction, that by those means the short manner of the Military laws or Court Martials might be in force, but at the same time the proclamation ordered that the said part of Graaff Reinet, except the Veld Officers and such others as could produce a certificate from General Vandeleur

should deliver their Arms and Ammunition to the Commanding Officer.

That from all the aforesaid and by the Examination and documents of the Law Suit and particularly by the Own Confession of the prisoners, the Judges are convinced that the Crime of the 1st prisoner Marthinus Prinslo consists in

1. That exclusive of his correspondence with Coenraad Buys who, though being declared a Vagrant and Outlawed, had some influence upon the Caffers among whom he dwelled, he the said 1st prisoner received a letter from Jan Botha, dated the 12th December 1798, containing a proposition for *renewing the Old patriotism and to carry it on in a better manner than before*, which said letter he the 1st prisoner kept and read to several persons.

2. That the prisoner commanded and caused to be commanded Armed Men in order violently to rescue the 2nd prisoner from the hands of Justice, who had ordered him to be sent, according to a legal decree issued for that purpose, to Cape Town.

3. That the said 1st prisoner actually put this design in Execution and Commanded the Armed that were sent for that purpose.

4. That the said prisoner said on that occasion "There is a Second matter in agitation which already reaches the long Kloof, and which will explode at the first opportunity," from which it most evidently appears that the prisoner was fully acquainted with the plan that was meditated and how they would proceed against Government and the Magistrates of the Colony in which he lived, the prisoner having acknowledged in his Trial that he meant to *renew the patriotism*.

5. That the prisoner held a revolutionary meeting of armed people at the 2nd drift of Graaff Reinets on the 25th January 1799, where, after having behaved most insolently, he thought proper to request the Senate would propose to Government "that the Inhabitants adjacent Groot Vis River might be allowed to drive their Cattle and Settle in Caffraria," which petition he made under the protection of about One Hundred Men in Arms, which were at the 2nd drift.

6. That the said prisoner on the 28th January 1799 in conjunction with the 4th, 5th & 7th prisoners and Coenraad Buys held a nearer conference at his place, forming on that occasion a compleat

Conspiracy against the Colony, which appears by the letter which was wrote on the same date, and signed *the general Voice of the people*, and directed to "Our good natured and faithful Co-Inhabitant J. P. van der Walt," containing viz. "The general plan is, of the Gamtouw's River, Zwartkops River, and Bosch'smans River, Suurberg, and Brintjes Hoogte, that they unanimously agreed to take the Colony in our possession again," &c., to which they added merely to make harmless and ignorant people participate in their design, that the Landdrost had endeavoured to raise or set the Caffers against the Christians, but that, viz. letter, *the honest protector of our Native Country Coenraad Buys* had prevented it.

7. That the prisoner on the 10th February 1799 held another rebellious meeting at the place of Jan Bosch, which in his Trial he acknowledged to have been done, in order to *approach Graaff Reinet according to their plan*, the prisoner substantially saying "the plan was fixed before to knock the Landdrost's brains out, but I opposed it, and said they ought to let him continue his office until Government had answered the letter about Van Jaarsveld, and that they should place him at Willem Prinsloo's," and the prisoner being asked if they had not agreed at Bosch's to draw the Caffers in a body and proceed with them to take the Cape if possible, he answered their plan had been to join the Caffers to the burghers and retake Graaff Reinet, and all those who would not participate in their proceedings would be put to death and their cattle would have been served out to the Caffers for provisions.

8. That the prisoner took a Solemn Oath at the place of Jan Bosch before Coenraad Buys and Jan Botha in order to act in conjunction with them against Government Troops.

9. That the prisoner on receiving the letter of Jan & Theunis Botha, in which they acquainted him of Government's Troops having landed at Zwartkops Bay, and that according to his promise his assistance was requested, reminding him "you will now remember the words we spoke at Jan Bosch's, *that we should be faithful to each other to the last drop of blood*," he the prisoner immediately consulted the 2nd prisoner, and sent order to the respective Inhabitants to arm themselves for that purpose and repair to Coega, where by order of the 1st and 2nd prisoners a Camp was formed for opposing the English Forces.

10. That the 1st prisoner continued to receive Reports about the situation and circumstances of the said Camp at Coega, and the

proceedings of Government's Troops near Zwartkops River, and in order to espy their Motions he by all appearance employed the prisoner Jean Izaac Bonté, it appearing further by the answers he gave to the Questions that have been put to him that he continually tried to assemble as many Armed Men at Coega as he possibly could, and then to keep them busy until the Caffers could join.

11. Lastly that the prisoner personally went armed to the Coega Camp, but returned on the road near the place of Geere, because, he said, he had met Klaas Botha, who told him that 600 *men were at Coega*, and that consequently *there was no danger*.

Adriaan van Jaarsveld, 2nd prisoner.

1. That he was fully acquainted with and participated in the Conspiracy already before he was seized by order of the Court, viz.

A. In the answer he made the Landdrost when he communicated to him the arrest, viz. "Sir, I am afraid this will breed a disturbance among the people," by which he says he meant *a revolt in the Colony*.

B. By what happened at the place of Dirk van den Berg, where the 2nd prisoner the very day after he had been rescued by the 1st prisoner at Carree Bosch, did read to the men that were there a letter which he said was of Coenraad Buys, but on questioning him further on that subject he replied that it was the letter that has been often mentioned of Jan Botha, and that it contained an instigation and encouragement to renew the Old patriotism.

C. By that letter which the prisoner acknowledges to have written the day after his rescue, at the request of the 1st prisoner, to Andries Petrus Burgers, and in which is mentioned, "In the name of the Lord I am returned and arrived at D. van den Berg's with our Brother Van Jaarsveld, and the people demands of you to appear in their presence, and that nothing can excuse you but death, and trusting to this you will receive a letter which is directed to you, by which the *great Intention that operated before plainly appears*. We shall expect your speedy arrival at Graaff Reinet that you may assist with your Judgement the good intended Council's decree. Malta that impregnable place has been taken some months ago by the National Convention; Bengal and Ceylon underwent the same fate," &c.

2. That the 2nd prisoner was always present when they met in

arms both at the Second Drift and at Jan Bosch's and afterwards at Barend Burger's, notwithstanding he does acknowledge that the intention has been violently to attack the Landdrost and carry him off to Caffraria.

3. That he the 2nd prisoner himself and Coenraad Buys did muster the Armed Men at Barend Burger's.

4. That he is the writer of the Note that is mentioned in the resolution of the Landdrost and Senate dated 19th February 1799, in which one period contains "That should it happen that any Caffers arrived in the Colony they shall be sent away without delay and they shall not be discoursed with, and it is further my will that no Hottentot shall be sent to the Caffers with Messages, and much less gifts, and it is further our will and desire that no Message be sent to them by any other person than our Co-Inhabitant Coenraad Buys." Which said Scriptum was delivered on the 19th February 1799, at which time the Journal of the Landdrost says "*Everything is this day in the highest disquietude and that thirty Men took possession of the Cape road.*"

5. That the 2nd prisoner was present at the place of the 1st when two letters were received, the one of the 2nd March 1799, wrote by Theunis Botha to Gerrit Oosthuizen and Jan Botha, and the other dated the 3rd March, written by Jan Botha to the 1st and 5th prisoners, saying in Substantia "Brothers come quickly, the Englishmen are in the Bay, and his intention is to take up all the Graaff Reinets people, pray come to our assistance as soon as possible for we are too weak here, they are on shore already with their Arms &c." The last of the 3rd March—"For now it is time the Englishman is arrived here at Zwartkops Rivers Bay, pray write immediately to Sneeuwberg and Rhenoster Berg that they may come and assist us quickly." That at the receipt of the said letter the 2nd prisoner has been immediately busy to collect Men, and among other letters he wrote one of the following Contents:

"Good friend Hendrik Hatting, be so kind and let Christ. Botha and Hendrik Kruger assist you in order to raise as many Men as possible in the Country, for we got information to-day of 4 Ships having landed at Zwartkops River, and they took one man prisoner immediately. You must be present on the 8th instant at Willem Prinsloo, Senior's, well provided with provisions and arms that you may inquire into the matter, for perhaps it is time to

awake for our Country. Your friend (Signed) Mart^s Prinsloo. 5th March 1799."

Which signature the prisoner says he has wrote himself at the request of the 1st prisoner and that he composed the letter also. And these literal Invitations of the 2nd prisoner produced in reality the effect of several men armed being sent or went to the said place of Prinsloo and the Camp at Coega, the 2nd prisoner acknowledging moreover that he wrote some more letters in order to command Men to go to Camdaga against Government Troops.

6. That the 2nd prisoner did on the 6th March 1799 write a letter at the said Prinsloo's place to the Landdrost and Senate of Graaff Reinnet, which letter was signed by the 1st prisoner, tending to make Government Troops withdraw, but to which the 2nd prisoner added at the same time the following postscript: "If the least word is said about pandours (Hottentots in service) Buys will fall upon them with the whole Caffraria."

7. That the 2nd prisoner went in the room of the 1st to the Camp at Coega, at which time he sent to call the Veld cornet C. J. Strydom to the place of Willem Prinsloo, requiring of him to participate in their Transactions, that the said Veld Cornet, faithful to his duty refused him, declaring he would repair to the Landdrost to receive his Orders.

8. That the 2nd prisoner could not deny that at the time Sickness forced him to return home from his way to Coega, he reported to the 1st prisoner "that he heard of Jan Botha that the Burghers had killed a great number of pandours and that a great number of Caffers had come to the aid of the burghers at Coega."

Theunis Botha 3 prisoner. His Chief Crime consists

1. In having wrote the treacherous letter of the 2nd March, *to deliver cito, cito, from house to house*, in the following terms: "Much Esteemed Brethren! Be now ready; the English arrived in the Bay and intends to carry off all the Graaff Reinnet people, pray come and assist us, we are here too weak, they are on Shore with their Arms, &c." which letter has been the chief cause that men were commanded by the 1st and 2nd prisoners, and what must be further laid to the 3rd prisoner's charge is

2. That he intermixt with the rebels at Barend Burger's, where he not only subscribed the paper that contained an engagement,

as they stiled it, of fidelity, but at the same time endeavoured to persuade Barend Bester to join.

3. That the 3rd prisoner armed himself and joined the Camp at Coega.

4. That the 3rd prisoner moreover wrote to Marthinus Rensburg at Sitsikama to bring armed people to assist, if possible.

Gerrit Hendrik Rautenbach 4th prisoner. His crime consists in

1. That he was present with Coenraad Buys and several others at the place of the 1st prisoner Marthinus Prinsloo, when, on the 28th January 1799 the people that assembled there formed their plan that is mentioned in the letter which was written there at that time to J. P. van der Walt, in which they acquainted him that the plan of the Boers at Gamtouw's River &c. was *to retake the Colony*, the 4th prisoner confessing at the same time "that the meeting at that place was held likewise for commanding men to attack the Landdrost at Graaff Reinet, and that at the same time he the prisoner had voted along with Buys.

2. That the prisoner repaired armed to the Camp at Coega.

3. That he took upon him the Command at the departure of Jan Botha and that he even appointed Officers.

4. That the prisoner gave orders to the 9th prisoner Gerrit Scheepers and Rensburg to write to the people at Lange Kloof and Zwellendam to come and assist, to that effect that Scheepers was thereby persuaded to have that writing expedited by the 10th prisoner Ignatius van Kamer to the people of the aforesaid Districts.

Barend Johannes Bester, 5th Prisoner. Crime

1. That he also joined the party that went to rescue Van Jaarsveld, but being afraid, he remained at Paul Venter's.

2. That he afterwards joined the rebels at the 2nd drift at Graaff Reinet.

3. That on the 28th January 1799 he was present with Coenraad Buys at the house of the 1st prisoner and that he is the writer of the letter signed *the General voice of the people*, which was delivered on that date to J. P. van der Walt.

4. That the 5th prisoner also received the letter that has been often mentioned of Jan Botha, wrote to the 5th and 1st prisoners on the 12th December 1798, which letter he says he sent to the

first prisoner. That the prisoner being in Cape Town in September 1798 received an annotation of the news from the Schoolmaster named Cornelis Edeman, in which is mentioned "that 3 Regiments of horse and 2 foot were sent from the Cape to India, and that all foreigners were pressed, &c."

5. That the prisoner was among the rebels at Barend Burger's.

6. That the prisoner also commanded Troops to go to Coega after he received the letters of Jan and Theunis Botha, dated 2nd & 3rd March 1799, the first being directed to Marthinus Prinsloo himself and *all the brethren in general*, in which said letters they called for assistance because Governments Troops arrived, the 1st and 2nd prisoners having also wrote to that effect.

7. That the prisoner wrote a letter to Sina van Aardt, and reported the State of the Camp to the 1st prisoner, which first writing tended to augment Coega Camp by some more men, and the 2nd contains, viz. "Dear brother and sister M. Prinsloo, I received intelligence from the low Country. C. van Aard came from thence, it is too tedious to write you all, but there is no danger at all. Our Camp consists of about 600 men, but let me advise do not neglect one Minute, join the Camp, I pray you for God's sake; do not delay, Mount, and call at my house, I then shall relate all the circumstances to you, do not tarry, mount your horse, if even the English come with 4000 Men he can do nothing to us, give me a call. I remain Your Brother, B. J. Bester. Written in haste, burn the letter."

Jean Isaac Bonté 6th prisoner. Crime

1. That the 6th prisoner was among the Insurgents at Jan Bosch's, notwithstanding their plan being to attack the Landdrost Violently, that Buys proposed to bring the Landdrost to Vis River and there to shoot him. That the Boers themselves would elect regents, and that the most principal of these were Adriaan van Jaarsveld, Marthinus Prinsloo, Buys, J. Botha, Gerrit Rautenbach, and Theunis Botha.

2. That at the request of Gerrit Oosthuizen the prisoner wrote an open letter to the 1st prisoner dated March 1799, requesting particularly succours against Government Troops, and concluding as follows: "This is clearly proved to every one that we are in danger, so that every one ought to know himself and Ride as soon as possible thither, that is to Zwartkops River, in order to assist.

This letter must absolutely be sent from house to house, to Marthinus Prinsloo, immediately during the whole Night."

3. That the prisoner did act the part of a Spy and reported the things he perceived to the 1st prisoner, though he endeavoured to disown this, pretending not to have been at Zwartkops River, but that he returned on the road, that he however acknowledged the written Report he sent for that purpose to the 1st prisoner the 8th March 1799 in which Report he says substantially,—“Good Cousin Marthinus Prinsloo,—I let you know that *I was on the road to go to Zwartkops River and that I was sent back to report to you* that the men desire you to come as soon as possible with your men, there is danger, the English landed, they encamped at Thomas Ferreira’s, there is 100 Men and 400 pandours and to-morrow they expect 130 Dragoons from Long Kloof, this is what the Major said, &c. Cousin Marthinus do not tarry in sending men from the high Country that we may have Succour, there is danger, believe the aspect is very dismal, *I do not see any assistance arrive*, answer me very quickly by my Hottentot Jacob that *I may make the report to my people.*”

Petrus Frederik Rautenbach, 7th Prisoner. Crime

1. That the prisoner knew of the letter of Jan Botha, who lives at the prisoner’s place, written the 12th December 1798, *about the renewal of the Old patriotism.*

2. That the prisoner was among the rebellious meeting at Jan Bosch’s, with the two first prisoners and Coenraad Buys, on the 10th February, at which place he acknowledges he gave his vote for transporting the Landdrost to Caffraria, the execution of this design having been postponed only because their number being insufficient.

3. That the prisoner was among the Armed Rebels at Barend Burger’s.

4. That he also went to the Camp at Coega, where he charged himself with doing Officers duty, or as he called it, Non Commissioned Officers.

5. That in the Camp at Coega the prisoner caused the eighth prisoner Godfried Koch to write a letter directed “To the ancient defender Marthinus Prinsloo & Barend Bester,” in which is the following period: “This is to give you notice that you must speedily come to our assistance, for the danger has reached the

highest pitch, and if you can not come with all your men at once, you must advance with part of them, and when you arrive you must go to Zoutpans Neck and there you must be very precautions in espying if the pandours 100 in number have not advanced, and when you shall be tomorrow at the fixed place you must wait for us, and should we be there before you we shall wait for you, we heard the Troops are to march on the 12th from Zwartkops River. The number of the Troops that march is 160 Dragoons and 100 pandours, and Secretary Oertel is along with them."

Godlieb Ertman Christiaan Koch, 8th prisoner. Crime

1. That the prisoner, who did not dwell in the Colony Graaff Reinnet, but only staid there since August 1798, did on the 10th February 1799 join the rebels of Graaff Reinnet at Jan Bosch's, notwithstanding he knew that they resolved to attack the Landdrost, the Prisoner confessing at his Trial, viz. "That at that place there had been said in particular that Coenraad Buys intended to collect the men he should find on the road, join the Caffers to them, and retake the Cape."

2. That the prisoner wrote a paper at that place, containing "The Burghers of Zwagershoek are Ordered by the *Voice of the people* to be present on the 17th February at the Colony Graaff Reinnet Armed and Accoutred, and any person failing in this shall be considered a Traitor to his Country." (Signed) "The Voice of the people." "11th February 1799."

3. That on the 17th February the Prisoner joined the horde of rebels at Barend Burger's.

4. That having read the letters that circulated, the prisoner armed himself and for that purpose borrowed a Musket, that he then went to Coega Camp.

5. That there, at the request of the 7th prisoner P. Rautenbach, he then wrote with a pencil to the 1st prisoner M. Prinsloo the letter that is inserted in the Charge of the 7th prisoner, acknowledging that he subscribed that letter with the name of the 7th prisoner at his request, and that the prisoner publicly read this letter at Coega.

9th prisoner Gerhardus Scheepers and 10th prisoner Pieter Ignatius van Kamer. Crime

That the said prisoners did, after the arrival of General Vande-

leur with his Troops, and the same having passed the place they were at, at the request of the 4th prisoner endeavour to persuade some of the Boers of Gamtouw's River and Longkloof, in the District of Zwollendam, to take up arms against His Majesty's Troops, for which purpose the 10th prisoner at the request of the 9th wrote a paper which the latter sent away, directed "*To all well meaning Friends and acquaintances who are possessed of any tender feelings for their fellow creatures.*"

Lucas Meyer, 11th prisoner. Crime

1. That he joined the rebels at Jan Bosch's and Barend Burger's, where he signed the writing which he says contained a promise to remain faithful to Coenraad Buys.

2. That on receiving the open circulating letter, he went armed to Coega Camp with the Intention to oppose Government Troops, some of the prisoners having related that the 11th prisoner did do Officer's duty there, which he however denies, saying that Gerrit Rautenbach offered to make him an Officer but he had declined it because there were so many young fellows, adding "I refused it because there *was not a sufficient number of Men which I could command in the quality of a Sergeant and I therefore became a private.*"

Zacharias van Jaarsveld, 12th prisoner. Crime

1. That by order of the 1st prisoner the 12th joined under the former's command in order to rescue his father the 2nd prisoner from the hands of Justice.

2. That on the 25th January 1799 he was among the Insurgents at the 2nd Drift and on the 17th February at Barend Burger's.

3. That he went Armed to the Camp at Coega.

Willem Grobbelaar, 13th prisoner. Crime

1. That in consequence of the written orders that circulated he joined the Rebels both at Barend Burger's and Graaff Reinet.

2. That he himself deposited in the meeting of the Senate at the Drostdy the before mentioned insolent and threatening note about the Caffers.

3. That on receiving the Orders he also repaired Armed to Coega Camp.

Jacob Kruger, 14th prisoner. Crime

1. That exclusive of having sent letters by the 2nd prisoner to Coenraad Buys before the disturbances which were of the 1st, he also repaired Armed among those who went to rescue Van Jaarsveld under the Command of the 1st prisoner, and assisted therein.

2. That on the 25th January he went in company with the other Mutineers to the 2nd Drift at Graaff Reinet and afterwards at Barend Burger's.

3. That he also has been among the Rebels at Coega.

Willem Venter, 15th prisoner. Crime

That by order of the 1st prisoner he helped to rescue the 2nd prisoner, and that he also was among the Insurgents at the 2nd drift at Graaff Reinet the 25th January, that he moreover was among them at Barend Burger's, though not armed.

Paul Venter, 16th prisoner. Crime

That the prisoner accompanied the 1st prisoner and his band for the rescue of Van Jaarsveld, though without arms, that he also joined the rebels on the 25th January at the 2nd Drift where in his opinion there were betwixt 90 and 100 Armed Men.

Gerrit Botha, 17th prisoner. Crime

1. That by order of Coenraad Buys he joined Armed the Rebels at Jan Bosch's the 10th February.

2. That on the 17th February he also went Armed among the Revolters at Barend Burger's, where he knew the people met to deliberate about the Landdrost.

Jan Kruger, 18th prisoner. Crime

1. That notwithstanding the prisoner acknowledges that since the rescue of Van Jaarsveld until the arrival of Government's Troops the Colony Graaff Reinet has been in a Continual State of Revolution, he nevertheless went on the 25th January 1799, though without arms, among the rebels of the 2nd drift at Graaff Reinet.

2. That on the 17th February he went on purpose, though not armed, and joined the revolting meeting at Barend Burger's, with-

out having given the least notice of this Criminal Convention to the Landdrost or Senate.

And whereas the crime of high Treason or *Læsio Majestatis*, breaking the public peace and open Violence which the prisoners in more or less degrees have been Guilty of in a country where Justice is duly administered, must be most rigorously punished both to preserve the public rest and Serve for Example to others.

It is therefore that the Worshipful Court of Justice having duly examined and read the Crime and charge of the Prosecutor the Fiscal Wm. S. van Ryneveld R.O. against the prisoners, and having taken in consideration the prisoners free confession and what further relates to the Cause, doing Justice in the Name of His Britannic Majesty, condemn the prisoners to receive the following punishment, viz.

The 1st and 2nd prisoners Marthinus Prinsloo and Adriaan van Jaarsveld to be brought to the place where Criminals are executed, and being delivered over to the Executioner, to be hanged until death ensueth; that after that the 2 Corpses shall be placed in a Coffin and buried underneath the Gallows behind the lines.

The 3rd, 4th, 5th, 6th, 7th, & 8th prisoners, viz. Theunis Botha, Gert Hendrik Rautenbach, Barend Jacobus Bester, Jean Isaac Bonté, Petrus Frederik Rautenbach, and Godlieb Ertman Christiaan Koch, to be also delivered to the Executioner blindfolded, & having kneeled upon a heap of Sand, he is to Sway the Sword over their heads for punishment, and then to be banished for the remainder of their days from this Government and its Dependencies.

The 9th and 10th prisoners Gerhardus Scheepers and Pieter Ignatius van Kamer to be also brought to the said place, and having been punished with the Sword over their heads, they shall be banished for life from this Settlement and its Dependencies.

The 11th and 12th Prisoners Lucas Meyer and Zacharias van Jaarsveld, after having been present at and Eyewitness to the aforesaid Execution, to be exiled from this Colony for life.

The 13th and 14th Prisoners Willem Grobbelaar and Jacob Johannes Kruger to be banished as aforesaid for the Space of Ten ensuing Years, after they shall have seen the Execution.

The 15th and 16th prisoners Willem Venter and Paul Venter,

the first mentioned to be imprisoned for the space of Two Years, and the last also for the time of One Year.

The 17th and 18th prisoners Gert Botha and Jan Kruger shall be set at liberty, in consideration of their long detention.

Condemning all the prisoners to pay the Costs of the process, and rejecting the further part of the prosecutor's demand.

Done and sentenced at the Cape of Good Hope the 3rd September 1800, and pronounced the instant.

(Signed) O. G. DE WET,
A. FLECK,
C. MATTHIESSEN,
H. A. TRUTER,
J. P. BAUMGARDT.

In my presence.

(Signed) J. A. TRUTER, Secretary.

Translated by

(Signed) J. BACKSTROM, Sworn Translator.

[Original.]

Address to HIS MAJESTY THE KING.

To His Majesty George the Third, of Great Britain, France, and Ireland, King, Defender of the Faith, &c., &c., &c.

MOST GRACIOUS SOVEREIGN,

We Your Majesty's most Dutiful, and loyal Subjects, the President, Fiscal, and Members of the Court of Justice, the President, and Members of the Burgher Senate, the President, and Members of the Orphan Chamber, the Minister, and Church Wardens, the President, and Members of the Lombard Bank, and the President, and Members of the Court of Matrimony, beg leave, for their respective Boards, and in the name, and on behalf of the Dutch Inhabitants of Your Majesty's Colony of the Cape of Good Hope, most humbly, and dutifully, to approach Your Majesty with our most hearty, and sincere Congratulations

on the timely and gracious interposition of Divine Providence, in rescuing Your Majesty from the nefarious, and abominable attempt, lately made on Your Majesty's Life, by a desperate, and mad Assassin.

We most solemnly offer our united Thanks, and praises, to the Almighty Disposer of Events, for your Majesty's preservation, an Event, which we consider of Importance for the whole World, praying with the fervency of the truest Loyalty, and grateful Attachment, for a long, and uninterrupted Enjoyment of Health, and of every other human Felicity, to Your Majesty, and Royal Family.

We most humbly and respectfully entreat Your Majesty will be graciously pleased to accept of our most grateful acknowledgements for Your Majesty's very benign, and affectionate regard, to the Happiness, and Welfare of this Colony at all times, by wise Selection of Governors to preside over us, under whose Administration, we have enjoyed the most perfect tranquillity, and Happiness, and are daily encreasing in prosperity.

With the most lively sentiments of Loyalty, Duty, and fervent attachment to Your Majesty, we beg leave to subscribe ourselves, Your Majesty's most Dutiful and Loyal Subjects.

CAPE OF GOOD HOPE, 13th September 1800.

(Signed) O. G. DE WET, *President*,

W. S. VAN RYNEVELD, *Fiscal*,

A. FLECK,

C. MATTHIESSEN,

H. A. TRUTER,

J. P. BAUMGARDT,

P. J. TRUTER,

J. A. TRUTER, *Secretary*,

A. DE WAAL, *Receiver General*,

A. FLECK, *President*,

H. A. TRUTER,

P. L. CLOETE,

J. G. VAN REENEN,

J. J. VOS,

O. M. BERGH,

D. P. HAUPT, *Secretary*,

} Court of Justice.

} Burgher Senate.

J. P. SERRURIER, V.D.M.,	}	Reformed Church Wardens.
CHR. FLECK, V.D.M.,		
*J. BERRANGE,		
J. G. BRINK,		
D. C. JURGENS,	}	Lutheran Church Wardens.
*A. C. HEYNING,		
MR. JOHN HAAS, V.D.M.,		
C. MATTHIESSEN, <i>President</i> ,		
O. M. BERGH, <i>Ouderling</i> ,	}	Orphan's Court.
JOHANN CASPER LOOS, <i>Ouderling</i> ,		
J. G. MADER,		
JAN FREISLICH,		
*S. H. HUYSEMA,	}	Lombard Bank.
W. S. VAN RYNEVELD, <i>President</i> ,		
P. L. CLOETE, <i>Vice President</i> ,		
A. BERGH,		
J. A. TRUTER,	}	Court of Matri- mony.
J. BLANCKENBERG,		
H. VAN DE GRAAFF,		
J. P. FAURE, <i>Secretary</i> ,		
C. MATTHIESSEN, <i>President</i> ,	}	Court of Matri- mony.
A. BERGH,		
H. VAN DE GRAAFF,		
C. BRAND, <i>President</i> ,		
*N. ACKER, <i>Vice President</i> ,	}	Court of Matri- mony.
R. D'OZIJ,		
*J. VOS,		
J. H. FROUENFELDER,		
F. DE NECKER,	}	Court of Matri- mony.
E. BLETTERMAN, <i>Secretary</i> .		

* The names marked with an asterisk are not very clearly written, and may be incorrect here.

[Original.]

Letter from MESSRS. DE WET, VAN RYNEVELD, AND FLECK *to*
SIR GEORGE YONGE.

CAPE TOWN, 15th *Sept.* 1800.

SIR,—We beg leave to request Your Excellency will be graciously pleased to cause the accompanying humble Address of Congratulation to His Majesty to be forwarded by the earliest opportunity, honored with Your Excellency's recommendation for its favorable Acceptance. We have &c.

(Signed) O. G. DE WET,
W. S. VAN RYNEVELD,
A. FLECK.

[Copy.]

Letter from SIR GEORGE YONGE *to the President and Members*
of the Court of Justice.

CAPE TOWN, *September 16th* 1800.

GENTLEMEN,—Having read & fully considered the Sentences and Judgment of the Court of Justice on the Criminals brought before you upon a Charge of High Treason, preferred against them by the Fiscal in the name of the Crown, I feel it incumbent on me to take the opportunity of expressing to you my sense of the service you have rendered to public Justice, and to the public safety, by the firm and impartial manner in which you have conducted yourselves on such a Solemn and extraordinary Occasion, on the Event of which the public Eye was fixed with some anxiety, Because on the Issue of it depended the power of the Law, the peace, Security, and Happiness of the Colony; you have shewn yourselves worthy of being entrusted with the Administration of public Justice, on which all Civil Society depends; you have afforded the best Security for the Lives & property of every Individual in the Colony by the convincing proof you have given, That while on one hand all peaceable and

loyal subjects may be sure of protection, no Criminal, however daring, shall defy the Law or shake the peace of the Colony with Impunity; and by so doing you have fixed that peace on the firm Basis of Justice and of Law, from which none can withdraw themselves and under which all may rest secure.

I shall think it my duty to transmit your Sentence and Judgment on the fourteen prisoners to His Majesty for His Approbation, on this important occasion, and I shall not fail to report your conduct at the same time in the manner it deserves.

The Fifteenth & Sixteenth may be released *on parole* giving Security to appear on demand when His Majesty's pleasure is declared.

The Seventeenth & Eighteenth may be released according to their Sentence, taking the Oath of Allegiance and giving Security for their peaceable behaviour.

On the nineteenth prisoner viz. Cornelis Edeman Schoolmaster, Execution should be done according to his sentence without delay.

I am &c.

(Signed) GEO. YONGE.

P.S. I send you the Sentence and Judgment concerning Cornelis Edeman, signed for Execution, the Judgments on the others will be transmitted to His Majesty.

[Office Copy.]

Letter from the WAR OFFICE to SIR GEORGE YONGE.

DOWNING STREET, 26th September, 1800.

SIR,—I am extremely sorry to observe by your late Letters that a misunderstanding appears to have arisen between you and Major General Dundas relative to the command of His Majesty's Troops at the Cape of Good Hope. I avail myself of the earliest moment to rectify an error into which you appear to have fallen from a misconception of the military power vested in you by your Commission, and the continuance of which cannot fail to be highly detrimental to the Public Service; for that purpose I enclose an Extract of a letter from the Secretary at War to the Secretary of State for the Colonies in the year 1765—

containing a full explanation of His Majesty's Intentions with respect to the Powers vested in His Majesty's Civil Governors and Military Commanders respectively. The distinction pointed out so clearly in this Extract has, from the period of its date, been hitherto invariably observed, and had I conceived it possible for you to have been unacquainted with such a document, I should certainly have brought it under your view previous to your departure from England. I trust that you will now consider His Majesty's intention therein expressed as forming the guide of your future conduct, and that no misunderstanding of your authority upon this point will hereafter arise.

(The Extract referred to is not attached to the office copy.)

[Original.]

Extracts from a Letter from VICE ADMIRAL CURTIS to EVAN NEPEAN, ESQRE.

CAPE OF GOOD HOPE, 30th September 1800.

The *Tremendous* sailed on the 7th instant to relieve the *Diomedé*, and under similar Orders to those which were given to that Ship. I sent the *Star* Brig with the *Tremendous*, that in case Captain Osborn should eventually, pursuant to his Instructions repair to any other part of His Majesty's Territories, instead of returning hither, I may by her be made acquainted with, or have conveyed to me any other material intelligence.

In my Letter of the 18th July I stated the shattered condition in which the *Jupiter* returned into Simons Bay. Finding that when she had been greatly lightened she continued to make as much Water as before anything was taken out of her, I ordered her Hold to be entirely cleaned in order to find out where her Leaks were, and discovered them to be in the Garboard Streak, chiefly on the Larboard Side in the Fore Hold; and it is imagined that as the Ship had been for several hours aground previously to her coming to this Country, some Copper was then beat off; and that the Worms having eaten through the Planking thereby exposed to their ravages, had occasioned the Leakiness of the Ship. There being no possible means of stopping these Leaks

but by heaving the Ship down, and there being in the Bay a very large Hulk belonging to an English Merchant, by which the same could be done, I determined to adopt the measure; the *Jupiter* is now forward in preparation for it, and I trust she will thereby be made entirely fit for Service, her other Defects being of less important natures. I have only to lament on the occasion, that by the unavoidable Disposition of my little Squadron, I am without a Ship or Vessel to send to Sea, whatever urgent call might arise to require the same. I have not a single Frigate; and the want of that class of Ships I particularly feel.

On the 11th instant the *Wellsley* Peter Gordon Commander laden with Provisions for the use of His Majesty's Ships on this Station and some Naval Stores for the Squadron in India arrived in Simons Bay. There being a sufficiency of Provisions in that Bay, and moreover no Store room for a greater quantity, I was obliged to order the *Wellsley* to Table Bay, that her Cargo may be deposited in our Store Houses in Cape Town; and the necessity for so doing will unavoidably encrease the Demurrage of the Ship, but the measure, for the reasons before assigned, is absolutely unavoidable. On 9th August Lat. 22° S., Long. 35° W., the *Wellsley* was attacked by a French frigate, which she beat off after an action of an hour and a half. The Frigate did not dare to renew the attack, though she hovered round the *Wellsley* for Six Days afterwards.

(Signed) ROGER CURTIS.

[Original.]

Revenue of the Cape Colony.

	Rds.	Sk.	St.
From 1 October 1795 to 30 September 1796	125,769	5	1
„ 1 October 1796 to 30 September 1797	201,893	6	3
„ 1 October 1797 to 30 September 1798	322,512	7	5
„ 1 October 1798 to 30 September 1799	361,795	5	2
„ 1 October 1799 to 30 September 1800*	365,987	1	4

CASTLE OF GOOD HOPE, 30th September 1800.

(Signed) A. DE WAAL.

* This does not agree with the Auditor-General's Account which follows.

[Original.]

Abstract Account of the Revenues of the Colony of the Cape of Good Hope from the 1st of October 1799 to the 30th of September 1800:

	Rds.	Sk.	St.
Land Revenue	43,396	2	4
Inland Duties on Wine, Brandy & Grain . . .	31,930	1	3
Stamp Duty	18,751	0	0
4 per Cent Transfer on Sale of Property . . .	45,576	1	3
Public Vendue Duty	61,166	3	0
2½ per Cent on Sale of Buildings on Loan Lands .	5,939	1	3
Fees received in the Secretary's Office and Vice Admiralty Court	1,193	3	0
Seizures, Fines and Penalties	26,572	0	0
Import and Export Duties	38,582	4	0
Port Fees	3,945	4	0
Postage	1,111	7	0
Interest of the Capital lent out by the Lombard Bank for one whole Year after the necessary deductions being made	26,240	2	3
Licenses granted for the Sale of Wine, Beer, and Spirituous Liquors for one whole year . . .	63,466	5	2
New Imposts consisting of Licenses to kill Game, keep Billiard Tables, hold Societies, &c., &c. .	1,725	0	0
Total	Rds. 369,596	4	0
Or at par with Sterling	£73,919	6	0

(Signed) JOHN BARROW, Auditor General.

[Original.]

Abstract Account of the Public Expenditure in the Civil Departments of the Colony of the Cape of Good Hope from the 1st of October 1799 to the 30th September 1800.

	Rds.	Sk.	St.
Salaries & Expences of Office	326,812	4	5
Repairs of Public Buildings	45,222	0	5
Contingencies	60,282	7	3
Total	Rds. 432,317	5	1
Or at par with Sterling	£86,463	10	7

Note—The encrease on the article of Salaries from last year is principally owing to the Arrears that were due to Sir Geo. Yonge on his arrival at his Government, at the same time that General Dundas was paid his Salary as Governor and General Fraser as Lieutenant Governor during the absence of General Dundas in the Country; partly also to the Pension of Lord Macartney and the renewal of the appointment of Under Secretary of the Colony.

The preceding Governments having expended very trifling Sums upon the Public Buildings and these being found in a very ruinous condition, it was thought necessary to put them into a thorough state of repair, so that the expences incurred in this head may be considered in a degree as new.

The Contingencies have principally arisen from the disturbances in Graaff-Reynet, such as the hire of Shipping for the transport of Stores and Provisions to Algoa Bay, maintaining the Dutch Prisoners, expences attending their Prosecution and trial, money advanced to the Commissioners for settling the disturbances, and presents for the Kaffers.

(Signed) JOHN BARROW, Auditor General.

[Original.]

*Letter from MR. WILLIAM DUCKITT to the RIGHT HONOURABLE
HENRY DUNDAS.*

SIMONS TOWN, CAPE OF GOOD HOPE,
October 9th, 1800.

SIR,—I have the honor to advise you of the safe arrival of the *Wellesley* in this Bay on the 11th of September and am happy to say all are well. I have lost some of the Plants owing to the length of the Passage, but I hope to raise upwards of 50 of the Hops, which I Consider a great Treasure, & if we had sail'd at Xmas instead of the last Week in May, I think the whole would have been saved for the Construction of the Boxes were such as Protected them from the Spray, and for which Mr. Gibbs deserves Credit. The seeds are also in a much better state than I Expected, as the ship was Loaded with salt Provisions, and therefore caused a great Dampness, upon the Whole Sir, I consider Myself very well off. The grass seeds are in a very good State, and what is much wanted in this Colony. I am now Sowing for Experiments a small Quantity of every Sort of Seed Calculated for the Spring Season, which is now far advanced, in the Lands Belonging to the Government House which are very much shelter'd and well Calculated for Experimental Purposes, which His Excellency the Governor had Prepared Previous to my Arrival.

I have not yet been able to Absent Myself to reconoitier the Country, but a great deal of the land between this Place and the Cape is remarkably good but requires a great deal of Manual Labour to Clear away the Brush Wood. Wherever the Plough or Spade is introduced however imperfectly, it brings forth a Wonderful Produce, where Shelter'd from the South East Wind. In a few Days I hope to be able to View the Lands about the Cape and fix on a Spot where the Plough can be introduced without much Manual Labor to Clear the Way, and I hope to be in time for artificial food for Cattle, and which I assure you Sir they Stand much in need off. I have not seen an Ox fit to be Slaughtered, it is a shame Cattle should be thus Destroy'd. But I flatter Myself this Country will produce any thing, and I hope to produce some fat Beef in a short time.

I am extremely sorry for not having both sheep and Horses for

I have not seen an horse fit to put in a Pair of Sharps, and the sheep are half of the Goat kind. Horses are out of all price, any thing that is Decent will fetch from 50 to an Hundred Guineas, even for sale Sir it would have answer'd to have brought out a Stallion.

I have done well in bringing the Cattle for the Cows are bad Milkers and very Course indeed I would not take 500 Guineas for the Bull, there was a Bull Calf which I saw in Cape Town not more than 2 Months Old, but half bred English offer'd for sale, and Valued at 170 Rix Dollars, I understand the Dutch Farmers don't mind what price they give for English Bred Cattle, and I hope Sir you will have the Goodness to send some horses and sheep the first Opportunity, and also more hands for Agricultural Purposes, Mechanics of all Descriptions are very much wanted, too many cannot be sent out of all sorts.

I hope soon to give you a further Description of the Country and what I may find wanting I shall take the Liberty of adviseing you. I am &c.

(Signed) WILLIAM DUCKITT.

*Letter from MR. L. M. THIBAULT to WILLIAM
HUSKISSON, ESQRE.*

MONSIEUR,—L'estime dont veut bien m'honorer Monsieur le Général Dundas, Lieutenant Gouverneur, et commandant en chef des troupes de cette colonie, les services essentiels et obligeants qu'il a bien voulu me rendre dans différentes circonstances, et notamment dans une affaire importante qui me concerne, de la quelle, de son avœu je prend la liberté de vous instruire par cette lettre, ne me laissent aucun de doute Monsieur, que sous de tels auspices, vous voudrez bien excuser ma démarche, n'ayant point l'honneur de vous être connu sous aucuns Rapports de services, ou d'utilité relatifs aux interrests de Votre Gouvernement.

Après la reddition du Cap aux armes de sa Majesté Britannique, le Gouverneur Hollandois, devoit aux termes de la capitulation, remettre au Général Craig, tous les plans relatifs á la place. Parmi la multitude de ceux de toute espèce qui lui furent remis, (la plus part insignifiant) il ne se trouva de passables, que deux

Plans particuliers de la Ville, et de ses fortifications; mais rien de Général sur l'intérieur de la colonie, particulièrement depuis fals-baie jusqu'au Cap.

Douze années d'observations et de travail, m'avoient mis à même de me former une collection de plans militaires très intéressante. Le Général Craig me fit demander par l'ingénieur en chef monsieur Bridges si je ne pourrois pas lui communiquer les détails dont il avoit besoin, pour pouvoir envoyer a la Cour D'Angleterre, un tableau fidel des lieux que son armée avoit parcourue ou occupée dans sa marche de baiefalse au Cap.

La Colonie etant alors depuis deux mois au pouvoir des anglois et la localité n'étant plus un secret, je crus pouvoir sans compromettre la puissance que je venois de servir, ni me compromettre moi-même, être plus loyal que monsieur Sleuske. J'ouvris mes portes-feuilles à monsieur Bridges, au quel je remis pour le Général Craig, les détails dont il avoit Besoin, et qu'il me rendit ensuite.

Ce service important rendu au Général Craig, me valut de sa part, la communication du plan de fals-Baie qui m'appartenoit, et que le Gouverneur avoit mal à propos mêlé parmi les plans à remettre selon la capitulation. Je reconnu cette marque de confiance de la part du Général, en lui remettant un calque du travail en grand que je fit d'après mon original en Petit que je lui rendis.

A l'affaire de la Baie de Saldane, j'avois deux mois auparavant rectifié une carte Prétendue Générale de la Colonie du Cap par la Rochette et gravée en Angleterre par Feyden. Cette carte etoit si defectuese que je formai le projet d'en rectifier les erreurs d'après des donées sures. Je la fit dessiner à cet effet sur une Echelle très grande par mon dessinateur et ensuite j'y travaillais avec activité. Le Général Craig venoit souvent voir cet ouvrage, et le trouvoit intéressant; il s'en resouvint lors de l'arrivée de la flotte Hollandoise, et me pria de la lui communiquer pour un moment. J'ose vous assurer Monsieur, que si cette Carte eut été de mon invention j'en aurois refusé la communication au Général, dans cette circonstance délicate, mais comme la rectification de ces Erreurs, etoit plutot le résultat d'un travail curieux, que la Connoissance d'objets nouveaux et inconnus, je réfléchis qu'il seroit ridicule de ma part de refuser la Communication d'une carte, qui se trouve dans tous les atlas anglois.

Etant suspendu de ma place d'ingénieur en chef par le sort de la guerre, et n'ayant rien à faire, je m'occupai à terminer un plan général du Cap, que venoit souvent voir le Général Craig, il trouva ce travail si précieux, si singulier, qu'il m'engagea à le finir, et de le lui donner pour en faire présent à son altesse Royale le Duc D'Yorck, et m'offrit à ce sujet de me faire obtenir la place, et le titre d'ingénieur Geographe du Roi pour cette colonie. Malgré l'offre gratuite du Général, je ne pus l'accepter, parce que j'aurois en ce moment manqué à toutes les convenances, et que cette légèreté de conduite ne pouvant être motivée, ne m'auroit certainement pas mérité, ni l'estime, ni la confiance du Gouvernement. Ce procédé, et la sévérité de mes principes envers monsieur le Général Craig qui revint à la charge par des moyens moins délicats, en m'offrant de l'or, et que je réjettai, me valut son estime et sa confiance, et ensuite celle de Milord Macartney, à qui il me fit l'honneur de me présenter, et successivement celle de Monsieur le Général Dundas. J'ai été généralement honoré de la Protection de ces Messieurs, et tous selon les lois de la guerre, et le droit des Gens, on religieusement respectés mes Portes feuilles, et toute ma Collection de plans militaires dont ils ont en une parfaite connoissance.

Avant l'arrivée de Sir George en cette colonie, Monsieur le Général Dundas étoit à Graaff Reinette, et depuis un mois Monsieur le Général Frazer m'avoit fait demander si, comme architecte, je voulois me charger de conduire les réparations des Batiments Militaires de la Garnison. Abandonné totalement depuis cinq années par la Hollande, aux états de la quelle j'avois rendus les services les plus importants, ayant considérablement souffert de la perte de mon Etat, j'acceptai la proposition du Général Frazer.

Quelques jours après l'arrivée de Sir George, je priai ce Général de me faire l'honneur de me présenter, l'accueil que je receu de son Excellence fut si froide, si glacé, si disparate de ceux dont avoient bien voulu m'honorer ses prédécesseurs, que je fus pétrifié de la Comparaison. Son indifférence parfaitement prononcée à mon égard, dura six mois, lorsqu'à cette époque je receu de sa part l'accueil le plus gracieux.

Avant d'entrer, Monsieur, dans les détails suivants, permettez que je vous assure que mon intention n'est point de faire, ni de porter aucune plainte contre Sir George, contre un Seigneur si

respectable par sa personne et son caractère. Je n'ai aucune idée de récrimination mais mon but et de prévenir un acte de pouvoir contre moi, qu'il n'a peut être pas l'intention d'exercer, mais que j'ai tout lieu de craindre de la part des personnes qui l'entourent et le circonscrivent.

La place de Barraques Mester, fut ottée du département de Monsieur le Général Frazer, et donné au premier aide de camp de Sir George, monsieur Cockburn. De sorte qu'en moins d'un mois, je me trouvai sous le pouvoir d'une personne qui m'étoit absolument inconnue. Monsieur le lieutenant Colonel Cockburn, n'ayant aucunes idées, aucunes connoissances de Construction architecturales, m'écrivit un Billet fort honneste et je fus lui parler. J'entrai avec lui dans les plus grands détails Economiques, sur l'immense etat de réparations nécessaire à faire aux Bâtiments militaires. Il me parrut parfaitement gouter mes projets, mais en très peu de temps je m'appercu que je le génoit. Je le lui dis franchement, et l'assurai que de l'entière confiance que je désiroit qu'il eut en moi, et que je croivit méritter, dépendoit les interrets du Gouvernement. Cette Vérité fit peu d'effet sur lui, et je le vis s'éloigner de ma personne d'une manière choquante. Ce procédé amena à une Explication qui ne produisit rien, et je cru pour le faire revenir et lui donner une idée de ma connoissance, l'engager à venir voir mon Cabinet, ce qu'il fit à une grande distance de cette Epoque.

La varieté des dessins d'agremens qu'il examina avec legereté ne me le fit pas soupçonner d'être tres amateur, mais mes Plans militaires fixerent toute son attention, et comme il etoit venu accompagné du fils de l'amiral Curtis il lui temoignoit a chaque instant son etonnement, il prit congé, fortement electrisé de ce qu'il venoit de voir. Je prenois pour de l'entousiasme ce qui n'étoit reellement qu'une concentration, qu'une Méditation compliquée, pour m'enlever ces brillants ouvrages. J'eus bientôt occasion d'être detrompée de ma credulité.

Quelques jours après cette visite, Monsieur Cockburn me dit, que Monsieur le Gouverneur désiroit de me parler, et il me fixa le moment. Rendu au Gouverneur je receus de Sir George, un accueil si gracieux, il me demanda la communication de mes plans, avec tant de politesse, que je lui offris sur le champ de les lui apporter, et il me fixa au sur lendemain, mais quel fut mon etonnement lors que prêt à entrer dans le cabinet de Sir George,

il me fit prier par son second aide de camp, d'avoir la complaisance de laisser mes plans, qu'il étoit très occupé à écrire, et de repasser le lendemain. De sorte Monsieur que de lendemain, en lendemain, de défaite en défaite, je me presentai consécutivement au Gouvernement pendant trois semaines, sans pouvoir pénétrer chez Sir George qui me fit dire pour toute réponse, qu'il me feroit appeler quand il le jugeroit à propos.

Desolé, désespéré d'un procédé si révoltant, me voyant joué impunément par Monsieur Cockburn qui m'évittoit, et me feroit voyager pour m'éloigner. Persuadé d'un autre côté de la droiture, et de la loyauté de S^r George, qui certainement n'agissoit ainsi envers moi, que par une impulsion qui n'est point dans son caractère. Je me rendis chez Monsieur le Général Dundas, qui voulut bien prendre intérêt à ma situation, et m'engagea à écrire au Gouverneur. Ma lettre extrêmement honnête, et telle que je la devois au Représentant de sa majesté, finissoit par rassurer, qu'à la paix, mon intention étoit de faire hommage au Roy, de mon Plan Général; ou de le faire graver de l'aveu du Gouvernement. Je ne reçus aucune Réponse pendant plusieurs jours, mais le Colonel Cockburn me rencontrant me dit avec légèreté, voila la lettre que vous avez écrit à S^r. George, et sur laquelle il a écrit de sa main des articles auxquelles vous lui répondrez. Je reçus ma lettre en fixant durement Monsieur Cockburn, Je le quittai brusquement, et certainement il lut dans mon âme, que je l'avois démasqué.

Rendu chez moi, j'écrivis à Monsieur le Colonel Cockburn comme je le devois, et je répondis aux articles de Sir George par un mémoire justificatif, plein de vigueur, de vérité, fort de choses, de décence et d'honnêteté.

Voici Monsieur quels sont ces articles.

" Il faut demander à Monsieur Thibault ce qui suit et recevoir sa réponse à chaque article par écrit.

1. " Depuis quand a-t-il travaillé à dresser, et lever les Plans dont il parle.

2. " Quels progrès y a-t-il fait, et combien de tems lui faut-t-il pour les achever et combien lui reste-t-il pour finir ce travail.

3. " Quelles parties de la Colonie a-t-il nommément visitées ou examinées pour lever ces Plans, et quelles parties lui restent-til encore pour les achever, et combien de tems est-ce que cela lui prendra.

4. "Sur quel ordre, ou quelle permission, ou autorité a t il commencé cet ouvrage ou est t il continué á présent.

5. "A quelle occasion tel ordre a t il été donné, si il y en a, et par qui, et ou en est l'original s'il y en a, et sous les yeux de qui a t il travaillé, ou travaille t il á présent, et qui l'a désiré ou demandé."

Je vous avoue Monsieur, que la lecture de ces cinq articles m'étonnerent, mais que les deux derniers me revolterent horriblement, en ce qu'ils sont absolument des questions á faire á un traître, ou un Espion pris sur le fait, en levant des plans sur des terres Etrangères. J'avois d'autant plus lieu d'être Revolté de la tournure de ces articles que, Monsieur le Colonel Cockburn étant chez moi, m'avoit offert en Présence du Capitaine Curtis, de me faire obtenir de Sr. George, toutes les Permissions dont j'aurois Besoin pour terminer mon Plan Général et qu'en supposant même qu'il ne fut pas l'auteur du Désagrément qu'il me causoit, il étoit alors de son honneur, de Détourner Sir George de l'idée de s'emparer de ma Collection, intention dont je ne pouvoit plus douter, après avoir en mes Mains, les articles de Sir George Ecrits de sa main.

Je désespérois de retrouver ma Collection, Lorsque Monsieur le Général Dundas communiqua son opinion á cet égard á monsieur le Colonel Cockburn, et l'engagea d'une manière décisive á déterminer Sir George á me rendre ma collection; ce qui eut lieu quelques jours après, et avec laquelle je receu la lettre suivante de monsieur Cockburn.

Monsieur,

"Je me fais l'honneur par ordre de son Excellence le Gouverneur commandant en chef de vous remettre les plans et dessins de cette Colonie, qui ont été dernièrement soumis á l'inspection de son excellence. Je suis de même ordonné par son excellence de vous faire savoir que comme ces plans paroissent avoir été faits sans les ordres ou la permission du Gouvernement, elle ne conçoit pas que vous avez droit de les posséder, mais *puis qu'il parroit depuis quelques tems qu'on vous a induit á penser autrement elle se resout á vous les rendre.*

Je doit de plus vous communiquer que son Excellence veut, que dorénavant, aucuns ouvrages pareils ne soit entrepris, ni les plans actuels continués, á moins que la permission du Gouverne-

ment né soit préalablement obtenue, ce que son excellence ne juge par convenable d'accorder dans ce moment—et ils ne peuvent être publiés ni disposés autrement sans pareille permission.

J'ai l'honneur etc. etc.

Si Monsieur le Colonel Cockburn m'a choisi pour faire son coup d'essai en Politique, ou en diplomatie, certainement il a mal tracé son plan, et cette lettre en est la preuve, car la raison qu'il avance pour me rendre mes plans, est un contre sens bien marqué et une impolitique démarche.

D'après la loi qui m'impose Sir George, vous voyez monsieur, que, malgré l'importance et la Beauté de mes plans, qui ne sont à tous égards pas faits pour rester Eternellement en Porte feuille, Monsieur le Gouverneur, ou pour mieux dire Monsieur Cockburne, n'ayant pu en disposer sans Blessier ouvertement toute convenance, j'ai lieu de croire qu'il fera solliciter par Sir George des ordres supérieurs, pour revenir sur ses pas. Voilà quelles sont mes craintes et la raison impérieuse qui m'a déterminé Monsieur, à vous donner Connoissance de cette affaire, daignez je vous en supplie, mettre sous les yeux du Ministre les détails dont je viens d'avoir l'honneur de vous faire Part. Si à la Paix cette colonie reste au pouvoir de Sa Majesté Britannique, mon Plan Général sera la chose du jour, et je le crois digne d'occuper une place dans les Cabinets du Roi.

D'ailleurs Monsieur, la manière dont j'ai formé mon Plan Général du Cap, et celui de false Baie, a pour Baze un projet Général de Deffense, et de fortifications que je me proposais de développer avant l'attaque du Cap, mais que je n'ai pas perdu de vue, et que je pourrais reprendre dans le cas où le cap resterait à l'Angleterre, on peut faire du Cap un Gibraltar, et si on néglige de la fortifier d'après un Système raisonné et Général, il pourrait essuyer un coup de main à la première Guerre qui aura lieu après cette affreuse révolution, le Sort des Colonies ouvertes, dépend presque toujours de l'arrivée de la première flotte qui les attaque, alors les Batteries passages sont d'une bien faible Resources en pareil cas, et la plus Brave garnison n'acquiert que de la gloire sans avantage. Je rend ici justice à monsieur le Capitaine Bridges, qui, durant cette guerre, a fortifié le cap de manière à lui faire soutenir un Siege mais il convient avec moi, que tous ces efforts doivent à la paix, céder à un Systeme en grand.

L'état que j'occupe en ce moment est très précaire, et ne tient qu'à une lettre de Monsieur Barnard, par ordre de Sr. George, avec cette restriction, "pour autant de tems qu'on aura Besoin de Vôtre Service," restriction nullement consolante et qui m'expose à être la Victime du premier individu à qui je pourrai déplaire, ou exciter la jalousie.

Si mes connoissances en architecture peuvent être utiles aux interrests de Sa majesté dans cette colonie, et si la réunion de toutes les connoissances qui y sont Relatives, et que j'ai lavantage de posséder (connoissances dont Monsieur le Général Dundas a vu des preuves dans différentes constructions) peuvent paroître à vos yeux monsieur, dignes d'être considérées du ministre, je me trouverai fort honoré d'être chargé sous des Rapports, de mériter la Confiance du Gouvernement Anglois.

Pardon Monsieur, de la trop grande Etendue de cette Lettre, j'ai été obligé de M'éloigner du Style Laconique, afin de vous faire sentir mes craintes, qui me paroissent bien fondées, et en même temps vous donner une idée de ma situation actuelle, qui n'a rien de Solide. J'aime cette Colonie, Je l'habite depuis dix sept années, J'ai pris la résolution de m'y fixer avec ma famille, et d'y pouvoir vivre d'une manière honorable, et employer utilement les années qui me restent à travailler.

Monsieur le Capitaine Bridges que j'estime, et que j'honore infiniment sous tous les rapports, va partir pour l'Angleterre; il pourra monsieur vous communiquer mon mémoire justificatif, et vous donner une idée parfaite de ma Collection, qu'il connoit entièrement. J'ai l'honneur &c.

(Signé) L. M. THIBAUT,
ancien capt. Ingénieur.

CAP DE BONNE ESPÉRANCE,
Le 13 Octobre 1800.

[Original.]

*Private Letter from MAJOR GENERAL DUNDAS to WILLIAM
HUSKISSON, ESQRE.*

CAPE, 15th October 1800.

DEAR HUSKISSON,—You will receive a letter from a Monsieur Thibault of this place whose representations therein contained

will be of course laid before Mr. Dundas in the event of any thing being stated by Sir George Yonge respecting him.

This Thibault was the Dutch Engineer at the capture of the Settlement, was for some time upon his Parole and afterwards preferred taking the oath of allegiance rather than quit the Colony and though certainly he is not an Englishman yet during the administration of Sir James Craig and Lord Macartney the propriety of his conduct appeared to be such as to entitle him to the protection of His Majesty's Government consequently his private property was respected and he himself permitted to live undisturbed.

The *Plans* which Sir George is desirous of possessing have been hitherto considered the individual property of this man and being very pretty Sir James Craig offered him the sum of 100 Guineas for one of them which he refused. In my opinion poor Thibault being allowed to keep his Plans is not a fig's consideration as to the safety of the Colony. In truth I believe he is as willing as many others employed to serve John Bull faithfully and might be made useful here as an Architect which has been his chief study and in which he has a fine taste but I conceive him to be of very slender abilities as a military Engineer. I am &c.

(Signed) FRANCIS DUNDAS.

[Copy.]

List of Ships' Arrivals.

Date.	Name of Ship.	Where from.	Nationality.
1800.			
Jan. 8 . .	<i>Neptune</i>	Calcutta	American.
" 9 . .	<i>Little Catherine</i>	Tranquibar	Danish.
" 14 . .	<i>Harmonia</i>	Calcutta	American.
" 15 . .	<i>Orpheus</i>	Calcutta	English.
" 18 . .	<i>Young Nicholas</i>	Saldanha Bay	Do.
" 26 . .	<i>Joseph Harvey</i>	Madeira	American.
Feb. 1 . .	<i>Benjamin</i>	Island of St. Mary	French Prize.
" 2 . .	<i>Bienfait</i>	Do.	Do.
" 3 . .	<i>Speedy</i>	Portsmouth	English.
" 4 . .	<i>Vigilant</i>	Salem	American.

Date.	Name of Ship.	Where from.	Nationality.
1800.			
Feb. 7 . .	<i>Washington</i>	Lisbon	American.
" 8 . .	<i>Anna</i>	London	English.
" 10 . .	<i>Exchange</i>	Salem	American.
" 10 . .	<i>Collector</i>	Madagascar	English.
" 13 . .	<i>Joaquim</i>	Mozambique	Portuguese
" 18 . .	<i>Gustavus Adolphus</i>	Saldanha Bay	Swedish
" 24 . .	<i>Rattler</i>	Coast of Peru	English.
" 25 . .	<i>Asia</i>	Bombay	Do.
Mar. 1 . .	<i>Industrious Mary</i>	Batavia	American.
" 5 . .	<i>Dispatch</i>	Philadelphia	Do.
" 8 . .	<i>Ariel</i>	Canter	Do.
" 10 . .	<i>Sally</i>	London	English.
" 10 . .	<i>Indispensable</i>	Do.	Do.
" 11 . .	<i>Malabar</i>	Bengal	Do.
" 11 . .	<i>Essex</i>	Newport	Do.
" 22 . .	<i>Caledonian</i>	Bengal	Do.
" 31 . .	<i>Dubuc</i>	Portsmouth	Do.
April 1 . .	<i>Rainha dos Anjos</i>	Daman	Portuguese
" 4 . .	<i>Forsoget</i>	Bengal	Danish.
" 4 . .	<i>Diana</i>	London	English.
" 4 . .	<i>Juno</i>	Rhode Island	American.
" 5 . .	<i>James</i>	Pate	English.
" 7 . .	<i>John</i>	Teneriffe	American.
" 10 . .	<i>Admiral Chapman</i>	Copenhagen	Danish.
" 10 . .	<i>Alert</i>	Salem	American.
" 11 . .	<i>Crown Princess Maria</i>	Bengal	Danish.
" 27 . .	<i>Earl Howe</i>	Do.	English.
" 27 . .	<i>Minerva</i>	Do.	Do.
" 27 . .	<i>Princess Charlotte</i>	Do.	Do.
" 30 . .	<i>Cornwall</i>	Coast of Peru	Do.
" 30 . .	<i>William</i>	Do.	Do.
" 30 . .	<i>Resolution</i>	Do.	Do.
May 5 . .	<i>Elligood</i>	London	Do.
" 5 . .	<i>Kingston</i>	Do.	Do.
" 10 . .	<i>Surat Castle</i>	Do.	Do.
" 11 . .	<i>Carter</i>	Amboyna	Do.
" 18 . .	<i>Scaleby Castle</i>	England	Do.
" 25 . .	<i>Mariana</i>	Bengal	Danish.
" 25 . .	<i>White Eagle</i>	Do.	Do.
" 25 . .	<i>Tris Frigate</i>	Do.	Do.
" 26 . .	<i>Schemlen</i>	Batavia	Do.
" 26 . .	<i>Armenia</i>	England	English.
June 1 . .	<i>Washington</i>	Copenhagen	Danish.
" 2 . .	<i>Porpoise</i>	England	English.
" 2 . .	<i>Minerva</i>	Do.	Do.
" 2 . .	<i>Lodoiska</i>		Prize.
" 4 . .	<i>Fanny</i>	England	English.
" 4 . .	<i>Cuvera</i>	Do.	Do.
" 9 . .	<i>Triton</i>	Do.	Do.
" 9 . .	<i>Vennerne</i>	Batavia	Danish.
" 10 . .	<i>Portland</i>	Boston	American.

Date.	Name of Ship.	Where from.	Nationality.
1800.			
June 18 . .	<i>African Queen</i>	Bristol	English.
" 20 . .	<i>Catherine</i>	Boston	American.
July 20 . .	<i>Hazard</i>	Teneriffe	Do.
Aug. 17 . .	<i>Gustavus Third</i>	China	Swedish.
Sept. 2 . .	<i>Union</i>	Whitby	American.
" 2 . .	<i>Bellona</i>	Torbay	English.
" 7 . .	<i>Wellesley</i>	Do.	Do.
" 7 . .	<i>Cecilia</i>	Do.	Do.
" 7 . .	<i>Phoenix</i>	Do.	Do.
" 24 . .	<i>Rajah</i>	Salem	American.
" 26 . .	<i>Wester Gotland</i>	Batavia	Swedish.
Oct. 1 . .	<i>No. 7</i>	Off Mauritius	Prize.
" 2 . .	<i>Bekeskhoer</i>	Copenhagen	Danish.
" 7 . .	<i>Edward</i>	Off Mauritius	Prize.
" 8 . .	<i>La Glanau</i>	Do.	Do.
" 11 . .	<i>Eliza</i>	Hamburg	American.
" 11 . .	<i>Kent</i>	Fishing	English.
" 12 . .	<i>Thetis</i>	England	Do.
" 12 . .	<i>Sea Nymph</i>	Port Louis	Prize.
" 12 . .	<i>Borneo</i>	Susu	American.
" 16 . .	<i>Norge</i>	Copenhagen	Danish.

[Original.]

Letter from VICE ADMIRAL CURTIS to EVAN NEPEAN, ESQRE.

CAPE OF GOOD HOPE, 20th October 1800.

SIR,—I herewith enclose for the information of their Lordships an Account of Vessels Captured, Recaptured, and detained by the Ships of the Squadron under my Command between the 1st of April and the 4th September 1800. I have before represented to their Lordships the peculiar hardships the Officers and Ships Companies of the Squadron on this Station labour under from their being prohibited to sell here except for Exportation any Prize Goods the Produce of the Countries Eastward of the Cape of Good Hope. Their Lordships will perceive the Property taken on board the Vessels in the enclosed List is chiefly of that description, so that the Captors will receive no great benefit from their exertions to distress the commerce of the Enemy.

I am &c.

(Signed) ROGER CURTIS.

[Enclosure in the above.]

An Account of Vessels Captured, Recaptured, and detained by the Ships of the Squadron under the Command of Sir Roger Curtis, Bt., Vice Admiral of the White and Commander in Chief of His Majesty's Ships and Vessels at the Cape of Good Hope between the 1st of April and the 4th September 1800.

Lodoiska—A Lubec Ship with French Property, Sugar, Coffee, and Ebony from Bourbon bound to Isle France detained by the *Star*.

L'Eleonore—French Brig in Ballast from Port Louis bound to Grand Port in the Isle France, taken by the *Star*.

Montgomery—Recaptured English Ship belonging to Bengal, had on board 40 Tons of Pepper. By the *Jupiter* and *Star*.

Goede Hensight—Danish Ship of 350 Tons from Isle France said to be bound to Copenhagen, loaded principally with French Property. Detained by the *Jupiter* and *Star*.

Union—An English Ship of Whitby Recaptured by the *Dionede* on her way to Rio de Plata. Had been Captured by a Spanish Privateer on her Voyage from Charlestown to London, is loaded with Rice, Cotton, &c.

La Paquebot—French Brig taken by the *Lancaster* and Squadron on her passage from the Isle of France to Bourbon loaded with Wines, India Goods, &c.

L'Esperance—French Brig of 8 Guns taken by the *Rattlesnake* and the Squadron on her passage from Bourbon to the Isle of France with Coffee &c.

Numero Septo—Spanish Brig taken by the *Lancaster* and the Squadron on her Voyage from Monte Video bound to the Isle of France loaded with Soap, Tallow, Candles and Provisions.

Eduard—French Ship of 300 Tons from Bourdeaux bound to Isle France laden with Naval Stores, Wines, Brandy, &c., Captured by the *Adamant* and *Lancaster*.

Gleneur—French Brig of 150 Tons from Bourbon bound to Isle France, laden with Coffee and Cotton, with 40 Slaves on board. Captured by the *Euphrosyne*.

(Signed) ROGER CURTIS.

[Original.]

*Letter from SIR GEORGE YONGE to the RIGHT
HONOURABLE HENRY DUNDAS.*

CAPE TOWN, October 22, 1800.

SIR,—I am honored with your Dispatch of the 27th (28th) April. The Contents distress me very much. I am charged very heavily, no Particulars stated, but much offence is said to be given. I find myself able to do nothing in my Defence, but tell the Truth.

If I thought I had given H.R.H. The Duke of York offence I should be miserable indeed. I will just state all that I have done. Soon after my arrival the Military Returns & Recommendations were brought to me by the proper Officer, to be sent home as usual, & I was told it was proper to state what Officers were deserving of Promotion on the Vacancies. I stated nothing but the several Officers next in Succession, except in the Case of one Subaltern viz. a Lieut. to be Capt. Lt. and a Cornetcy to which I was pressed by B. G. Fraser to recommend his Son. I believe that not one Man in the Garrison, any more than myself, ever dreamed that in so doing I was offending the Duke of York, and I can only say that nothing should have made me do it, had I thought so. I will add that M. G. Dundas being then up the Country, I sent an Express up to Him, stating the Returns & Recommendations & begging to receive his Commands & offering that the Packett should wait if he chose it. His answer expressing his ready concurrence, and desiring the Packett might not wait, the Returns were sent off accordingly by the Packett, as I then conceived in the Ordinary & usual Way. They were only Recommendations depending on H.R.H. Sanction and approbation.

This is the only Military Measure I know of, for ever since M. G. Dundas returned all Returns Recommendations, and the whole Care & Management of everything relating to the Military Service has entirely rested with Him, and is so still, so that if my Name appears anywhere, either in Returns, Orders, or any other Manner it is not my ordering but His, whether it is thought right, in Point of Form or not, I cannot tell, nor whether it is any more done, But if it is all is done by his Direction, not mine, ever

since his Return. I will next State the Truth also with respect to a jealousy M. G. Dundas did conceive on his Return of my Intention to Interfere And He expressed some Warmth about It. I had soon the Good Fortune to Convince Him He had mistaken my Character & Intentions. The Warmth Subsided and every thing goes on with that Harmony which was my Sole Object for the Good of the Service.

The next Ground of Blame is Offence to my Predecessor. If there is any Offence the Truth has offended, not me. The Truth I must speak and abide by. I shall be sorry If It offends. I will repeat It again. The Publick Buildings had been neglected for 5 years. The Nature of Buildings in this Climate cannot stand this. They were falling Into Ruin. By the Capitulation Government were bound to keep them up & they were declared to be the mortgaged Security for the Paper Currency. It was reported to me, and ocular Demonstration proved, that another Winter most of them would fall. If my Predecessor had repaired them in 1798 The Expende would have been moderate. It was now Estimated before my arrival, from a Conviction of the Necessity of the Case, and the Amount was £30,000 at least. They have been done for about £20,000. Was I not to explain this? Was I not to state how that was Incurred? and from what such an Expende originated? I might have been Silent indeed, if left to myself, but Government would & must have called for Explanation and I must then have given It, just as I give it now, Just as every Body here will give It, and Just as I must continue to give It, called upon ever so often and I will add again left to fall on my Shoulders, and If I did not say so, I believe I should be the only Man serving Government here that did not say so.

The next Ground of Offence Is, Having Departed from the Plan laid down & approved by government, & incurring new & unnecessary expences. The way I have done this Is that by ordering my Instructions on these Points to be registered in the office, By directing every thing to be continued exactly as It was before and the Accounts to be made up, as orderd, in Continuation from the Departure of Lord Macartney, and all extraordinary Warrants to be enterd in a Book and signed by M. G. Dundas the Secretary of the Colony & myself. All this has been done, and Is transmitted home accordingly, and having enquired at the Office on the Receipt of your Dispatch, whether any thing has been done

contrary to the former Practice or the Plan which had been approved of by Government I am assured that there has not been the least Deviation, and I am sure, If I had known there had been any, I should not have approved of It. As to Expences I know of none except what urgent Necessity called for namely the Publick Repairs already stated. They are all enterd into the Books, & will speak for themselves.

As to the Revenue becoming, from these supposed Expences, Inadequate to the Service, I have adopted two Regulations in the Revenue, which are in some sort new, but I rather flatter myself will not Injure the Revenue.

The First relates to the Anchorage Duty. Complaint was made that It was laid unequally, That the largest Ships who received most Benefit paid no more than the Smallest. This appeared to me to be so, and that the Revenue also suffered by It. I have settled the Duty to be paid according to the Tonnage. The Largest to Pay nothing beyond a certain Tonnage, and the Smallest not to be charged. This has given general Satisfaction and the Revenue has gained more than double already, what It produced before.

The next relates to the Wine Licence Duty, But this requires some Explanation. The Wine Licence Duty Is annually lett at a Rent Publickly. It has gradually been Improving & last year lett for upwards of 63,000 R.D. But the Cantine at the Castle was always exempt, and the Cantine Master had the Privilege of Selling Wine at the Cantine without Licence. Mr. Kemble had been appointed to It, and It was supposed his Salary & Profits came to £1000 p. a. He also Claimed by his Grant the Cantine at the Barracks, but this was disputed by the Farmers of the Revenue.

When the Wine License Farm came to be lett for this year The Farmers offerd an encrease of Rent, if the Cantine at the Barracks was allowed to be included. At this Moment Mr. Kemble dyed suddenly, and It then occurred to me that if Mr. Kemble's Profits were £1,000 the throwing, at least, the Disputed Cantine at the Barracks into the Wine License Farm would give an encrease of £1,000 to the Revenue, and the Farmers did not deny It. By the Death of Mr. Kemble also the Castle became Vacant, and It occurred to me that whatever the Sacrifice of private Patronage might be, It would be better to fix the Value of the office at a

Sum certain, even at £1,000 p. a., and give the Chance of Improvement to the Revenue by making neither of the Cantines exempt from the Farm, tho the Office continued. Circumstances led to the Idea that the Advantage to the Publick would be much more than £2,000 per annum. Private Patronage was no consideration. I gave Notice to the Farmers that both Cantines should be Included in the Farm, but that I expected an encrease of Rent in Proportion. I had consulted with no Body on the measure, but was convinced of Its Propriety. The event justified my Idea. The Sale of the Revenue took Place according to the Notice, and the Rent of the Farm for the Current year is encreased 30,000 Dollars or £5000 Sterling p. a. The Cantine Master & the other necessary Subordinate Officers are at fixed Salarys amounting all together to no more than the £1000 p. a. enjoyed by Mr. Kemble, so that the Revenue has gained a Nett Income of 24,000 R. D. or £4000 Sterling p. a. I have divided the Cantines into two. The Town Major has the Castle, & the Barrack Master the Barracks. I hope these measures will not be thought *Deviating* from the Plan of Government or *Injurious* to the Revenue. Another Measure has been adopted, a new office has been created. It was said the Soldiery would Complain on the Cantines being subject to the Farm. They had complained at the Barracks of Short Measure and bad Wine, and the Complaint was just. Many had dyed from the bad Effects of unwholesome Wine. I thought it adviseable to establish Wine Examiners, and to order Standard Measures at each Barrack & Cantine with Power to the Examiners and Cantine holders to oblige the Farmer of the Revenue to give Just measure and wholesome wine. This has given great Satisfaction and the examination of the Wine will tend in time very much to Its Improvement. The Salaries of these Officers are included in the Calculation of the Salaries of the Cantine holders above mentioned.

I have now I believe stated every thing relative to new Offices, Revenue & Expences, that I can recollect. If I could recollect more, I would State It. I wish to Conceal nothing, and especially not to Conceal the Truth. The Produce of the Revenue at the End of this Current Year will be full 400,000 R. D. and I hope will be more the Year following. No Pains of mine shall be wanting to make It so, and as to the Revenue meeting the Expences heavy as the Expences have been this year, I am indulging

the Hope from what I know, tho I beg not to be Pledged, because It must depend on Circumstances. But I am of opinion that, at a Peace, with proper Commercial, Territorial and Financial Regulations, the Colonial Revenue will meet all the Expences Civil & Military of a Peace establishment, with little, or no Burthen to the Mother Country. But It is as yett too Early nor have I, at the present moment, much Encouragement to trouble Government with my Ideas, or with any Details on the Subject.

I have troubled you with a very long, very Irregular, and I am afraid very unofficial Letter, But the very nature of your Dispatch has unavoidably made this more of a Personal than Publick Nature, and as I can not mix any other Subject with It, I must entreat your acceptance of It as It is.

I will now only say, That however I may feel on the Occasion given to such a Dispatch, I readily & willingly Submitt my Conduct to any examination Government thinks proper. They have a right to do so. I respect that Right. It must, It ought to be exercised. I submitt to It, and I think It the most natural Thing in the World that I should receive the letter I have received from you, on this occasion. It would have been strange if I had not, as things are conceived. Whether my Answer Is Satisfactory or not Is more than I can presume to say. I have told the Truth. I have tryd to explain everything, to Conceal nothing, Because It is my duty to do so, and having thus done my duty, I have done and said all I wish to do, or say. I have &c.

(Signed) GEO. YONGE.

P.S. It is necessary I should explain, that the Repair of the Publick Buildings & Barracks has enabled me to discontinue a Distant Barrack, for which a Rent was paid of £600 p. an. which will be a saving to the Colonial Revenue to that amount.

May I now be allowed in this Letter of Justification, to propose some Matters, Important as I think for the Publick Service, and First, I wish to risk offending again, namely to lay out £4 or £5000 St. more, for the Purpose of removing the Publick Offices from the Castle, and fitting up those Offices & Part of the Barracks as Lodging for the Officers. They would then be with the men, which would be usefull for Discipline and their Lodging money would be saved. The expense of this Lodging Money falls at

present on Government. The amount I do not exactly know, but I conceive It to be at present an Expenditure of not much less than £4,000 Sterling p. an. The Doing this may be charged on the Colonial Revenue and It appears to me that It would be money well laid out, but I cannot undertake It without order.

I wish to avail myself also of this Opportunity to touch on one or two other Points of some Moment. An Issue of Paper Money Is much wanted, as a Medium of Commerce which Its Increase calls very much for, and the Mercantile Interest would pay Government Interest & Real Security, the Money to be repaid and the Paper Cancell'd at a given Time. I have Reason to believe that half a Million R. D. might thus be Issued & Lent, with great advantage to Government.

Another Point Is, The Current Coin. A Spanish Dollar Is worth here at Market as Merchandise 6/6. It is worth as Current Coin only 5/6. How can It stay in the Colony? What Laws can keep It? Seizures may be made, but the Clandestine Exportation will too often succeed, to the Impoverishment of the Publick. If I might be allowed, I would Submit some Ideas on the Subject, but at present I only touch upon It.

[Enclosure in the above.]

[Copy.]

Advertisement.

Notice is hereby given that the biddings for the Farm of the Revenue of the Wine Licences is postponed to Monday the 25th Instant, in order that time may be afforded to the Bidders to be informed of the Regulations and Conditions under which the biddings are then to be conducted, which are as follow :

In the first place the Cantines at the Barracks and at the Castle are to be included in the Farm.

In the next place the price at which Liquors are to be vended is to be fixed and regulated in like manner as before, but in addition to the regulated price, it shall be permitted to charge two pence or two stivers on every bottle of Wine vended under the Licences at the Wine Houses and at the Cantines, and

one shilling on every bottle of Brandy in like manner vended and delivered.

In the next place, that the consumers may not be defrauded either in the quantity or quality of the Liquors vended to them, no measure shall be made use of but the measures allowed by Law and sanctioned by the Magistracy; and in case any Liquors shall be vended or delivered at any other measure, the offenders on Complaint shall be punished on conviction with the utmost Severity; and in order that the Consumer may not be defrauded in the quality of the Liquors so vended any more than the quantity, no Liquors shall be vended or delivered without being previously tasted or examined by the proper officer to be appointed for the purpose, under such Regulations & Restrictions as shall hereafter be established for that purpose.

The bidding for the District of Stellenbosch, as also for the District of Rondebosch, Wynberg, Muiyzenburg, and Simons Town, shall first take place, and then the District of Cape Town.

In every other respect, except the above Regulations, the biddings shall be conducted on the usual conditions and in the usual manner.

By Command of His Excellency the Governor and Commander in Chief.

(Signed) A. BARNARD, Secretary.

[Copy.]

*Letter from SIR GEORGE YONGE to the RIGHT HONOURABLE
HENRY DUNDAS.*

CAPE TOWN, October 22, 1800.

SIR,—I am honor'd with your letter of the 20th of May which is just arrived by the *Wellesley*, relative to Mr. Vermaak.

The measure of sending him to England by an Act of Power without Tryal had been fully considered and determined upon by Major General Dundas, under whose orders Brigadier General Fraser acted previous to my Arrival, and I was given to understand that similar Acts of Power had been exercised on former Occasions. I also understood He was thus sent not for Tryal

but by way of Banishment. I did not conceive it therefore fit for me being just arrived to interfere with this Decision, thinking myself bound to let it go Home, as it was resolved upon: But I confess the measure did not quite coincide with my Ideas. I at least thought that Banishment to England was lyable to many Objections my Reasons for which I have already stated in a former Dispatch, and that it appeared to me where Banishment was to be the Punishment that the Place of Banishment should not be England but Botany Bay.

I have also stated in a former Dispatch that there were several other Prisoners, which had been long confined, on a Charge of High Treason, whose Fate still remained to be decided, and that I thought it high Time that they should be proceeded against, not by an Act of Power but by a Solemn Judgment according to Law, and that I meant to avail myself of the present peaceable State of the Colony, & give Directions accordingly. It is therefore a very great Satisfaction to me to learn now that this Idea of mine is perfectly consonant to the Sentiments of His Majesty's Government, and that such Offences ought if possible to be try'd on the Spot. I hope too that my Idea as to the Place of Banishment, where that is resolved on will be approved of. Governor Gidley King is fully prepared for such a Measure.

I confess at the same time that I have been under some Anxiety as to the Issue of this tryal for many Reasons, altho convinced of the Necessity of it.

In the first place, because I found that in general, tho' the Criminal Laws of the Colony undoubtedly were competent, yet they had seldom been resorted to, under former Governors, in Cases of such Magnitude. But Power alone has been relied on—and I was rather the more Anxious, because having thought it expedient on such an Occasion to consult those who could best advise me, I had desired the attendance of Major General Dundas, Judge Holland, The Fiscal, & Secretary Barnard, in Order to consult with them on the best mode of proceeding, and it was not without some degree of Alarm that I found the General's Opinion lead to preferring an Act of Power, and He express'd Doubts on the Prudence or even Safety, of the other Mode of Proceeding, urging to my great Concern that the Peace with the Caffres could hardly be said to be concluded, that the Caffre Prince had always espoused the Cause of the Prisoners, & there would be

Danger, if they were thus proceeded against, of renewing the War; which in fact We had not been able to maintain, In so much that He had been forced by necessity to act as He had done, by rather abandoning the War than concluding the Peace, nor could for the same reason the consequences be answered for, should the War be renewed. It was most afflicting to me to learn this precarious State of Things, & it was added that there were even Doubts whether the Court of Justice would do Its Duty, The Situation being so new, The Spirit of Party so strong, & the effect arising from Intimidation so uncertain. The other Gentn. inclined to the measure of proceeding by Law, But from the Difficulties accompanying it preferred leaving the Decision to me, which having fully weighed & considered, I at last felt so forcibly the disgrace of confessing as it were, that the Laws or even the Government itself was too weak for such powerfull Offenders, that I resolved to proceed & gave Directions accordingly. It is therefore with great Satisfaction that I have now to acquaint you, that though the Process from the Nature of the Proceedings has been long, yet the whole has been conducted in the most regular and solemn manner, and I even directed that considering the unusual Importance of the occasion the Proceedings should, contrary to the usual Practice of the Court, be publick & that the Doors of the Court should be open during the whole of the Tryal.

I have the Honor to transmit the Sentence pronounced on the Prisoners, Four of them being in a manner pardoned, I have considering their long Confinement, directed them to be discharged on Condition of taking the Oaths & finding Security for their good Behaviour which has been done.

Of the Others two are capitally convicted and as I have it not in my Power to change the Sentence I have thought it right to submit it to His Majesty's Pleasure, as it may be thought proper to mitigate the Sentence, to which I see no Objection. But If I might be allowed to submit, what occurs to me from my knowledge of the Subject, It would perhaps be adviseable, In case His Majesty should be graciously pleased to shew these Criminals any favor, not to revoke or commute the Sentence altogether, But that the Execution of the Sentence should remain suspended on Condition of being Banished for Life, But to be inflicted on them If they ever return. The Reason of this is, that their Return would have the worst Effects possible, for they have been the

Original Ring Leaders, & chief Instigators of the whole Rebellion aiming at the shaking off all Dependence on the Colony & corresponding with His Majesty's Enemies for the Destruction of the English Government. Such a Mitigation therefore of the Sentence, as is here suggested, Is full as much Indulgence, as the Magnitude and Danger of their Offence will warrant.

The Court had occasion, as had been apprehended, for all its Firmness, for Attempts were not wanting to Influence & Intimidate them, and the President especially stood in a very delicate Situation. But the Court felt the Importance of the Occasion both to the Colony & to Government, so much to their Credit, that I thought it my Duty to give them a Public mark of my Approbation in a letter addressed to them, a Copy of which I have the Honor to enclose.

I really hope that the Issue of this Tryal will have the most salutary Effect, tho' I am much concerned to find that what Major General Dundas urged as to the precarious state of the Peace with the Caffres proves but too well founded. I had sanguinely hoped from the Representations first made to me, that all had been permanently restored to Tranquillity, but recent Advices from the Commissioners at Graaff Reinet received since the commencement of the Tryal, announce that this is far from being the Case, & that the Caffre Prince not only receives the Fugitives, but has at their Instigation made predatory Incursions into the Colony, so that the Commissioners have been compelled to collect a Force of near 500 Men part Military & part armed Inhabitants for their Protection, and the enclosed Extracts from their last Dispatch will fully explain the Disposition of the Caffre Prince & the State of that District. But should the Measures now taking for restoring & preserving Tranquility by the Commissioners be happily effectual, The Prosperity of the Colony will I hope be in Danger of no Check and it is with the greatest Satisfaction that I am able to transmit the Sentiments of the Colony in Terms of Loyalty & attachment to His Majesty which I believe sincere & which I hope will be acceptable to His Majesty.

I have myself endeavoured, as I thought it my Duty, to conciliate the Minds of the People to the British Government by every Attention in my Power, ever since my Arrival, & I was happy to learn from Vice Admiral Sir Roger Curtis, that He had official Instructions to second any such Endeavours, which he has

done, with all that zeal, with which he does every thing for the Public Service.

I have accordingly encouraged every thing that could give them a Taste for English Manners, or promote the Improvement of the Colony, & I have the pleasure to perceive they begin not to be Insensible of the Blessing of being under a British Government, and to be convinced of my sincere desire to promote their welfare. I shall do my best to prevent those Sentiments from being weakened & the Expressions of Loyalty I continually receive Induce me to hope for this with some Degree of Confidence.

There may be still some disaffected persons, which the Enemy secretly encourages, and to say the Truth, Hitherto the experience they have had of the British Government has afforded nothing decisive that should lead them to judge whether they should, or should not, become ultimately an Object of the Care of Great Britain. This with the uncertainty of the Events of War has held many in suspense. I have try'd to induce them to adopt Sentiments more decided, & I have now reason to believe that there remains nothing wanting to fix their Sentiments & the Loyalty of the better sort at least, than the certainty of their not being again to change Masters. They have had Experience enough of the misfortune of being in a state of uncertainty. And I am well convinced that the Loyal Address now spontaneously offered to His Majesty is meant by them to convey the Wish they entertain of remaining under His Majesty's Gracious Protection the Blessing of which, as they very properly themselves express, Is well known to all the World, & I believe they will be most grievously disappointed should this wish of theirs prove ultimately Vain.

It is necessary I should now mention, that, together with the Proceedings & Sentences of the Tryals, Is transmitted the Charge and accusation of the Prisoners delivered by the Fiscal and it is but Justice to him to say that I am convinced the Zeal he displayed on the Occasion was sincere, & that the Ability with which He maintained the Cause of Government tended very much to keep the Court firm to their Duty on this Occasion, I feel myself obliged to state what I think of some Importance to Government as well as to Him. Previous to the Tryal, he had represented to me the very indelicate way in which He thought he derived his Income that while on the one Hand his established appointment was

inadequate to the Situation He was left to make himself amends by being an interested Prosecutor of Offences by sharing the Fines on Confiscation. That he felt very uneasy at it, & wished rather to have an adequate stated appointment, & give up these Emoluments. I confess that this representation appeared to me both liberal & reasonable, and It appears to me That if this appears to Government in the same light The Occasion of these important Tryals will perhaps be a fit one for doing what is proper. What that should be I will not presume to say. His share of Fines is one third. This has this year been not less than £5,000. But it is casual & cannot be supposed always to be so much. Perhaps If his stated Income arising from His other fixed allowances were made up to £1200 Sterling per Annum He would be contented & the expence to Government not very great, as In that Case the Fines which now come to him would come to Government. But having stated this it remains for Government to decide what is fit to be done, I only thought I could not omit stating it.

I feel it my Duty also now to state a matter of great Importance, namely the Administration of Justice in this Colony.

Looking upon it as a British Colony, The British Subjects here claim the Benefit of the British Laws, while the Dutch claim the Usage of theirs confirmed to them at the Capitulation till the Peace, against this the British Subjects protest, in all Cases where their own Lives, Liberty, & Property are any way concerned, alledging that The Dutch Laws are unknown to them, & totally different from what they conceive they have a Right to & especially in what regards Descents, Wills, and Settlements, The Dutch Laws are totally dissonant from the English, & they claim Justice to be administered here in the same manner as in other British Colonies.

A case is now before me, in the way of appeal, in which the Collector of the Customs is concerned, & in which he has demurred to the Jurisdiction of the Court which claims Cognizance of the Cause, according to the Dutch Laws & Usage.

It is a Case in which the Parties are entirely English, & the Dutch no way concerned arising from the Death of the Collector's Wife, whose Property if any and the Succession to it the *Orphan Chamber* claims the Jurisdiction over, as well as the Custody of, & the Decision as to the Succession, according to the Dutch Laws which is deny'd on the other side. The matter is conducted with

the greatest Propriety & Decency on both Sides, and this Point is left to my Decision.

If I decide according to the Laws of England as claimed by a British Subject in a British Colony, The Dutch claim the Capitulation, and their own Laws therein reserved to them, to which they say every Man in the Colony is subject, as well English as other. If I decide in conformity to this construction of the Capitulation, Then British Subjects are affected by Laws not their own & to which they conceive themselves not bound contending that no Capitulation thus granted can deprive them of Rights inherent to British Subjects, living under a British Government, and that the same principle which dictated the allowing to the Dutch tho: conquered the usage of their own Laws, tho: at the time it depended on the Will of the Conqueror applies to the preserving to the British Subjects their Inherent Right to British Laws, which it could never be in the Intention or Contemplation of those who granted the Dutch that Capitulation to deprive them off, and that if this is the Effect of that Capitulation, they must contend for a Remedy and the Restoration of their own Rights & Laws to which they conceive their Claim to be as strong as any the Dutch can contend for.

Having no Instructions whatever on the point, If I should feel myself forced in the present Instance to admit the Effect of the Capitulation as the Dutch claim it, yet I must earnestly request that this matter may be seriously considered, & that Government will be pleased to think of some Arrangement either by the establishment of English Judicature, or such other Remedy as shall appear most Wise & Expedient, by some new Code of Laws, or otherwise, for there seems at present a real Hardship, or at least great Inconvenience & Difficulty on both sides of the Question.

Mr. Duckitt has begun to Survey the Country, and every step he takes confirms his opinion of the general Excellence of the Soil of this Colony, and it is rather flattering to me that His Judgement & Knowledge should thus confirm all my Ideas and Advices on the Subject. He has made an Excursion of about 30 or 40 Miles round *Cape Town*, visiting *Roundbosch*, *Hout's Bay*, *Orange Grove*, *Wynberg*, *Muysenberg*, and the Country round *Simons Town*, as well as *Strickland* and *Clap Mats*, *Stellenbosch*, *Modder Got*, *Hottentots Holland*, *Klipberg*, *Drakenstein*, *Franches hook*, *The Paarl*,

Zwarteveldt, and *Waggon makers Valley*, next Week He is to visit *Reitt Valley*, and *Groene Klooff*, and the *Grange Kraal*, and all the Country N.W. towards *Saldhanha Bay*, & then He proposes to begin on whichever spot proves most adviseable. A considerable expence will unavoidably be incurred first, but the greatest Inconveniences will arise from the want of Hands, and he has already expressed a wish for an Importation of fresh Slaves, which he wishes to employ solely in Husbandry. The want of Hands for Agriculture is indeed much to be lamented. Horses & Sheep of the English Breed are also very desireable and Mr. Duckitt laments much his not being allowed to bring out any, which he finds a great Loss to him. In short this Colony wants nothing but Inhabitants, and especially Labourers, for the Want of which all the Vale from Simons Town to Saldhanha Bay being upwards of 100 Miles long by about 25 Miles broad all capable of Agriculture (the worst of it not being worse than *Esher*) lyes half barren, useless, and uncultivated, and apparently incapable of Culture, but there is no one Instance even in the most Sandy Desart Part of it where the least Care has been bestowed on any one Spot that is not repaid a hundred Fold. One remarkable Instance of this is that an Englishman took a spot about two years ago, apparently among Sand hills, perfectly barren, not a Blade or Vegetable upon it, He enclosed it, sunk a Well, found Water, has planted it, and has now a fine Garden full of Vegetables, Corn, Vines, and Timber Trees growing Luxuriantly, and Duckitt & his Farmers declare there is not a Spot in the whole Vale, as far as they have seen, be it ever so bad in appearance, that is not better than what Duckitt's Farm was when he began upon it, or rather His Father did, and that the same Care & management as His Father used would be full as successfull, if not more so here as there. I have not the Least Doubt of the Truth of this, and I look forward with much satisfaction to seeing this verified by Mr. Duckitt's Exertions. In reality I am convinced that the Tract of Country round Cape Town, extending S.E. towards *Houts Bay* & *Simons Bay* N.W. towards *Saldhanha Bay* and N.E. towards the Mountains great part of it apparently barren, and not a tenth part of it cultivated, tho' so near Cape Town, is capable of any Improvement & of producing any thing that Human Industry can effect, so as to supply Great Britain with Corn, Wine, & many valuable Articles, were the Country once peopled, and in return would occasion an encreased

and valuable Demand for British Produce and Manufactures, which I humbly conceive it is highly for the Interest of Great Britain to encourage.

It is on this Point of View, that I feel anxious to hear what are the Regulations contained in an Act, which I perceive has been passed last Session, for the Regulation for the Importation of Cape Wine into Great Britain. It is represented to me that the former Regulation was so very disadvantageous, that the Importation was, as it were, prohibited. I most earnestly hope the present Regulation is more favorable, and that His Majesty's Subjects in this Colony may begin to be allowed to come nearer the Character of British Subjects than they have hitherto been or at least that the Importation of their Produce may not be regarded as Foreign Produce.

Having stated this, as it is my Duty to do, I have no Doubt that the Wisdom of Government will pay that Attention to the Subject, which the Magnitude of the Object deserves, and to that I submit it.

The very rare and uncertain opportunities afforded of communication compel me to enter upon every Subject which appears of Importance, and the Desire I most particularly have of answering your last Dispatch has induced me to wait no longer, but to send this by a special Ship to St. Helena, In hopes of catching the Convoy for England, And the Addresses also appearing to me to be of sufficient Importance, And Mr. Barnard having declined returning to England, for the Reasons he has stated, I have thought it adviseable to send these Dispatches by Captain Tucker one of my Aids de Camp. But it would be extremely desireable if some Vessel could be allowed to come and return periodically to this place, If it were only twice a year. This with the chance of Merchant Ships occasionally would afford a sufficient and very usefull communication to this Colony, which makes me wish it may be done. I have &c.

(Unsigned.)

[Original.]

*Secret Letter from SIR GEORGE YONGE to the RIGHT
HONOURABLE HENRY DUNDAS.*

CAPE TOWN, October 22, 1800.

SIR,—The Intelligence transmitted in March last from home to the Admiral commanding on this Station having been communicated in Confidence by Him to me, We have both thought it right to apprize both the Marquis Welsley and Admiral Raynier of It, and I have thought It my Duty to consult with General Dundas upon this. In Consequence, He has, (without noise) examined the Defences, and some new *Signal Posts* have been Erected; and I believe from his Report every thing Is in Good order, at the Same time He has so strongly urged encamping the greatest Part of the Garrison, at a proper Distance between the Two Bays, that though this will be Expensive It has appeared adviseable, and they are Encamped accordingly.

Some accidental Circumstances appear to Confirm the Intelligence alluded to, for 3 French Frigates have appeared off the Brazils, and thence proceeded to *Rio de la Plata*, and Brought an order, unprecedented, as It Is said, from old Spain, for a large Sum of Money to be paid by the Spanish Governor to the Commander of one the Frigates, for the Service of France, which has been paid accordingly, and also a very great Supply of Provisions, with which the Frigates have departed. But one Frigate has since been Cruizing off the Coast, and in the Latitude of *Rio de Janeiro* attacked the *Welsley*, who engaged her for an Hour and beat her off. It was a 32 Gun Frigate full of Men. The action was on the 9th August in Lat. 22.39 Long. 33.20 and the *Welsley* arrived safe here on the 10th Sept^r. The French Frigates were afterwards reported to be coming to the Indian Seas, but this has proved to be without Foundation. one Is supposed to be returned to France, the others are Probably at *Monte Video*, or *Rio de la Plata*.

An Extraordinary Incident has since occurred here. A Ship arrived under Prussian Colours from *Embsen* which had been stoppd & examined by Capt. Elphinstone in the *Diomedé*, and some Circumstances, on her arrival, creating Suspicion, She was

Stoppd, and the whole Ship & Cargo proves to be French, as well as most of the Passengers, bound to the *Isle de France*. But among the Persons on Board, said to be only Passengers from Hamburg, was one Person, Charged with a Secret and Important Commission from the Batavian Directory to the Governor General of *Batavia*. I have thought It my Duty to detain Him, & Examine his Papers, By which It appears that He is sent to announce to the Governor of Batavia, the Coming of a Considerable Force in Ships, with Troops, and, also, Military Supplies, and the Object from Circumstances, seems to be to try to recover some of their Possessions, and especially The Cape, where the Letters say They are pretty sure of Succeeding, if they can but land there. This person has four or five in *Suite*—one of them is Instructed to execute the Commission if the other Should Dye. I have Stopped them all, Just as they were embarking on Board an American Ship for Batavia and finding there had been a Quarrell between these Dutchmen and the French on board the Prussian Ship, I have availed myself of this, and the Enclosed Paper contains the Intelligence I have thus obtained, which together with what is contained in this Persons own Papers has induced me, on a Consultation with the Admiral, to send them all home as soon as a proper Conveyance offers, and thinking *Ceylon* might be one of their Objects, I have found means privately to advize Mr. North, and the Marquis Welsley of the Business.

It appears also that the Prussian Ship was in reality French, having been a Prize taken & carried into *Calais*, where she was Purchased by the present owners, and brought to *Ostend*, where she was loaded with this present Cargo & bound to the *Isle de France*.

The Commerce thus carried on by France to the East Indies under Neutral Colours Is pretty Extensive. They are Chiefly Danish and Prussian. The Ship in Question was thus Conducted—a Person from *Ostende* went to *Gluckstadt* & *Altona* to be made a Danish Citizen with the Ship, under the Sanction of the French Government. She then went, under Danish Colours, back to *Ostende* to take in her Cargo. She then returned to *Altona* to gett, what they call, the *Necessary Neutralizing Papers*. From thence they went to Hamburg where some Circumstances induced them to go to *Embsen*, and there Change the Ships Name to *Frederick* and the Danish Colours & *Neutralizing Papers* for

Prussian, and thus equipped They Sett Sail for the *Isle de France*, and by accident Came here.

The French Government Conduct, and authorise this Trade, in this manner. They authorise the Several Municipalities to neutralise the Ships, as before described but they are also furnish'd with French Permits and Official Safe Conduits from the French Minister of Marine & Colonies at Paris and in the Letters to the Administration of the *Isle de France*, or other French Colonies in India, but on the *express Condition* that the whole of the Cargo shall consist of French Manufactures & Produce, and that the Produce Sales of the Cargo, and the Ship Itself, shall be brought, on Its Return, into some Port of France—and these documents have accordingly been all Discovered on Board this Ship, and they are all now in the Custody of the Vice Admiralty Court here, but I have the Honor to transmit an abstract of the Principal Official Papers for the Information of Government.

Another Ship, a Dane, has also Putt in here, under Suspicious Circumstances tho on Consultation with the Admiral It was not thought adviseable to detain her.

Among other, The Captain, in Shewing his Papers, produced to my great Surprize a *French Permitt* for the Ship & Cargo, from the French Commercial Agent at Copenhagen, one M. La Ville, and the Captain said that no Ship was now allowed to Sail without one, I asked him, if they were then Subjects of France. He said not that, but It was a Protection, which they were orderd to be furnishd with. I asked him why not be furnishd with English Protection as well as French since England had more Power to protect than France. He said, the English respected Nations, France did not. I then told him to take Warning, for that in future if any Danish Ship came here without English Protection from our Minister at Copenhagen as well as French, they would be Seized, for an Enemys Sanction alone was no Protection. He has wrote home word of this, and I leave It to the Wisdom of Government to Decide whether this Threat should be realized, or not. Certain It is, that by these means France carries on an uninterrupted Commerce, to a very great Extent, & with the utmost Safety—while the Americans carry on a great Trade to India, China, Batavia & the *Isle de France*, bringing however chiefly *Specie* which they gett from the Spaniards. I am only to add, that much *Specie* Is also clandestinely carried out of this

Colony to India by Ships of all Nations as well as by our own Contrary to the Laws, and to the Impoverishment of the Colony—which requires Regulation, nor would It be Impossible to Check this very Considerably—if not all together. I have &c.

(Signed) GEO. YONGE.

(The enclosures in the above throw no further light on this subject, and are therefore not given here.)

[Original.]

*Private Letter from SIR GEORGE YONGE to the
RIGHT HONOURABLE HENRY DUNDAS.*

CAPE TOWN Oct. 22, 1800.

SIR,—In a former private Letter I enclosed you a Letter of Correspondence belonging to the Missionaries, of whom and their Designs I then gave my Opinion, and I now send you further Particulars Concerning them. I wish I may be mistaken in my opinion but at present I have no longer any Doubt about them, and have only to Correct their great Power & Influence.

As to the other Disagreeable Letter I was forced to write concerning General Dundas, I have only to say, that my Patience has had the Desired Effect, That He is now Convinced of the Truth of what I told him, That it all originated in a Mistake. In Consequence all is Calm again, and as quiet & harmonious, as for the Good of the Service I wish It to be, and beyond that, I have no Sort of Wish whatever.

Mr. Duckitt since his arrival has been assailed, as I feared He would, with all Sorts of Proposals, both from Dutch & English—I have warned him against them, and find him honest, and firm to his Duty—and I shall think It mine to give him the whole Superintendence of every agricultural Matter & to give him my best assistance. I have only to beg, That should *any* Propositions come from *any* Quarter to Government, either *at home* or from *hence*, that none may be listened to, nor even referred to me, unless such as may come with the Recommendation and Representation

of Mr. *Duckitt* himself, or from me at his Request, otherwise all will be in Confusion. I send you his Letter, nor have I any Doubt of his doing well and every thing that is right. I have also the Pleasure to tell you, That having fortunately Succeeded in getting the Dutch to form themselves into an Agricultural Society, Premiums are now Publishing for the encouraging agricultural Produce, and Mr. *Duckitt* having been admitted a Member, I have little doubt of the Premiums being in future, directed to such usefull Objects, as he will recommend, and I shall give him full Powers to manage all Such Spots of Land, as after full Investigation He finds best suited to his Purpose. Indeed He intends to undertake more Spots than one at a time, having Persons under him that he says He can trust, Subject to his Controul & Inspection, besides what He shall work himself, so that I hope a considerable Progress will soon be made.

As to myself, I beg to refer to my official answer to your Dispatch of the 27 April, and have only to hope I shall at least stand Justified of any Improper Intention—errors of Judgement are not Criminal. It is the Intention makes the Offence, that I disclaim—and I can safely swear that so far from Intending any thing offensive to any, my whole attention has been devoted I may say daily & hourly, from 7 in the morning to the afternoon without Intermission, to the Publick Service, and I have been occupied entirely in the Ideas of Planning the Welfare of this Colony till I have had them Interrupted by the Cruel Reproaches contained in your Dispatch. I have however to thank you for the Candour, the Kindness and the Justice, with which you assure me you shall not decide without further Proof, nor without hearing me, and receiving my explanation. That explanation you now have, and to that and to the Truth of It I refer.

It is Pain to me to write on this Subject. It is Pain to me to think, all my Thoughts are Interrupted, my Toil suspended, all my Ideas laid aside. I can work no more, till I know, whether or not, after all, I am, or am not, an unprofitable Servant. Sure I am, I have had no Views, no Interest, no Benefit, no Profit, from my Labours—The Publick has had the Benefit—and I—my Labour for my Pains—and my Reward has been—Condemnation; almost, without being heard. This is small Encouragement to duty, but that a real sense of Duty wants none, and my Heart at least does not Condemn me. My Head I will not answer for,

except that my Head & Heart go at least together, as well as I can make them.

Excuse this trouble I will say no more Perhaps I may have said too much already. I will endeavour to be wiser, & save much trouble both to you & to myself—But I beg you to believe me always with great Truth & Regard, Dear Sir, &c.

(Signed) GEO. YONGE.

P.S. If I may be allowed, I wish to say a Word as to the Prisoners in the Castle. Their Sentence is transmitted for the Reasons contained in the accompanying Dispatch, as for the two which are Capitally Convicted, tho' they do Deserve Death, yett It remains with his Majesty to shew them Mercy, but they must not even remain here—*The Publick Safety* forbids It. And as to the others, there is the *Same Reason* for *not* altering their Just Sentence, nor would It have been transmitted, but for Form's Sake, being Included In the same Judgement pronounced on the others, and they expect nothing but to Save their Lives. There is however, one Thing on which I wish for Directions. These People have very considerable Property. Being Convicted of High Treason It is I understand forfeited, as well by the Dutch Laws, as by ours. But I expect many applications from Relations & Friends to obtain them, and to keep them for the use of the Criminals. Indeed some of these have gone already to occupy the Property without Leave, of which no notice can be taken till His Majesty's Commands can be received concerning the Criminals, but It seems bad Policy to allow such little Consequences to follow such crimes, and I beg Directions how to Proceed.

The Missionaries have Emissaries at *Batavia* and other European Settlements, an Intercepted Letter from *Batavia* contains no Symptoms of Endeavours to Convert Savages to *Christianity*, and thus Promote the *Kingdom of Christ*, but a very Elaborate account of the Success of his Labours in *other* respects, and relating wholly to the *Kingdom of this World*: giving an account of his *Commercial Transactions of His Gains*, and accompanied with Directions to lay out his money in the Colonial Funds at the Cape.

The Letter Is addressed to Valentine Alexius Schoonberg, *Treasurer & Director of the Society in South Africa for Promoting*

the Kingdom of Christ, which address Is repeated on two Covers, But, on the Third, and Inner, Cover, The Address Is, *To Citizen V. A. Schoonberg, Merchant, Cape of Good Hope*, which last appears to be his proper address.

In the Country, They gett Lands *for the Hottentots*, which they keep themselves, and Sell the Produce raised by the Hottentots Labour for their own advantage. One Missionary Is a Blacksmith, who makes some bad knives w^h He Sells very Dear, & they have lately Imported from England a large Assortment of Ironmongery & other Goods, under Colour of *Presents to the Hottentots*, who never hear a Word of them, and in the several Kraals which they have established, these pious Missionaries, unless more Credit is given them than they deserve are said at least to Propagate Christians, if not Christianity. Very few are up the Country one only is with Guyka promoting, I believe, the Kingdom of *this* World, as well as of *Christ*. The rest prefer living at Cape Town, where one of them Is lately married, and, In short they are *Merchants* at least, whatever else they are. But I am sorry to add, that I have *reason to believe* that in *England* they propagate the most *Jacobin* Principles, especially in some Villages near London, as I am Credibly Informed. Certainly their Letters announce their Expectation of some *great Revolution*, which, they say, the Political events in Europe are paving the way for.

In Short I am more & more Convinced that this Exclusive, Powerfull, Artfull, and Formidable Society use the same Ends under the Mask of Piety, & Religion, as the Jacobins in France, of which I conceive them to be one Great Branch, have done, under the Standard of Infidelity. Their Political Principles I am Convinced are Jacobin. They have deep & secret Designs, under the Cloak of Religion, which indeed Is almost always the Case with Pretenders to extraordinary Sanctity. In the mean time their worldly object Is, a Mercantile Pursuit, which their Investments prove. Their Views are *extensive*, and the Letters I have sent prove their *Power* and *Boldness*—as yett, nothing has been done here to alarm or Disturb them, but their Residence here Is a matter of Serious alarm, such as to make It necessary to transmitt this account, in addition to what has been already sent, to which I have to subjoyn one Circumstance more extending to corroborate the rest.

One of the Missionaries lately come here has gone into Caffer-

land, his name Vanderkemp—there was another Edmond, but he is returned—two more now want to go, but I have forbid them because I have undoubted Intelligence that Vanderkemp, who has been making excuses for not leaving Guyka, tho' repeatedly required, has been propagating not Christianity, but the very Principles above stated, and Is at this moment the Confidential Friend & Companion at Guykas of the fugitive Rebel Conrad de Buys, of whom the Extract of the Comrs. Dispatches Speak. They are Inseparable, live & lodge together at Guykas and there is every reason to think De Buys Is very far from being converted, or discouraged, by his new friend & Companion.

They have a very great *Commercial* Investment sent out in the *Royal Admiral* to Botany Bay, at least so their correspondence announces, and from thence they propose *trading* to Otaheite, to India, China &c. I hope they will not subvert the Government of New South Wales, they certainly will attempt this.

What follows does not relate to the Missionaries but comes Classed under the same Head, a Very obscure Society has been lately formed here scarce worth notice, but for their Principles, which are pure Jacobin, and their Pattern is taken from *England*. The Person of the Name of Fidge came very lately from thence. I have sent him away again—another man (a Member) of the Name of Franke was seized at the House by my Coachman for Cursing the King. He is also Banishd. The Enclosed Vulgar Card will shew the complexion and Connexion of the Business.

The French are spreading Jacobinism all over India—even their Manufactures are Emblematical, and tend to excite the Natives to Rebellion. I send you a Sample from Bourdeaux.

[Original.]

Letter from SIR GEORGE YONGE *to the* RIGHT HONOURABLE
HENRY DUNDAS.

CAPE TOWN, Oct. 22, 1800.

SIR,—This will be Deliver'd to you by Capt. Tucker, my Aid de Camp, who by the Desire of the Inhabitants of this Colony comes charged with a Loyal Address to His Majesty, which they have

Commissioned Him to present in their Name, In such manner as shall be thought proper.

I have taken the Opportunity of sending you all the usual Colonial Papers, and also of answering your several Dispatches, concerning Mr. Barnard, Mr. Duckitt, & Mr. Hesse, as also yours of the 27 April concerning myself, to which I beg leave to refer, as also to my Secret and Private Dispatches.

I have only to hope for your favourable Reception of Capt. Tucker, and that He may be Presented to His Majesty in the Manner usual on Such occasions. Should He have Occasion for your Protection, or for your Assistance, in the Objects of his Pursuit, either of Promotion, or advancement, I flatter myself you will be kind enough to afford It Him, and I will venture to say you will find him a very amiable, and Deserving young man. I have &c.

(Signed) GEO. YONGE.

[Copy.]

Letter from the MARQUIS OF WELLESLEY *to* SIR GEORGE YONGE.

FORT WILLIAM, 24 Oct. 1800.

SIR, 1. Since I had the Honor (sic) to your Excellency on the 25th of September the appearance of some French privateers at the mouth of this river rendered it necessary to postpone the dispatch of the *Princess Mary*.

2. The detention of this ship enables me to apprise your Excellency that I have received from Constantinople and Aleppo the most unfavourable accounts of the successes of the French on the continent of Europe as well as of the progress of their establishment in Egypt.

3. These events have placed our possessions in India in a situation of considerable danger, notwithstanding the brilliant success of our arms in the late War against Tippoo Sultan and in the Rebellion of Dundiah. The French appear now to be established in Egypt with a formidable body of Europeans, and a numerous army of Copts disciplined by French officers.

4. It appears probable that at an early period a vigorous effort will be made by France against the British settlements in India.

This enterprise may be prosecuted either by land or sea, either by a naval armament with troops proceeding directly from France to India, or by a squadron acting in the Red Sea and transporting by that route to India a part of the French army now in Egypt.

5. The earliest efforts of France however may be expected to be directed to the relief of her army in Egypt, and if any attack be made against India at an early period of time, it will probably be with the object of diverting our attention from the Red Sea and of distracting our naval and military force while a French Squadron shall attempt to secure the passage of the Red Sea and to introduce succours into Egypt by that channel. The final establishment of the French Colony in Egypt will probably be the period of time when operations against India will be commenced on an extended scale.

6. It is however difficult to estimate the amount of the force which France might be able to direct exclusively against India even in the ensuing season, and it is not prudent to act on the supposition that such a force cannot be very formidable, still less would experience justify an implicit reliance on the superiority of our naval force in Europe, since we have already found during this war that a bold and rash spirit of enterprise may frustrate the utmost efforts of the valour, skill, and vigilance of our navy, and may elude its acknowledged superiority both in strength and conduct. Whatever may be the projects of France, I have reason to expect that if the war should continue His Majesty's Ministers will direct me to assist the common cause through the Red Sea by means of a body of troops from India, to be conveyed to Egypt for the purpose of co-operating with a British armament from the Mediterranean.

7. As materially connected with the probable views of His Majesty's Ministers and with the state of the external danger to which our own possessions are exposed in consequence of the unfavourable posture of affairs in Europe and in Egypt, it is my duty to apprise your Excellency that our European troops in this part of the world absolutely require immediate reinforcement.

8. In this state of affairs it is my duty to request your Excellency in the most earnest manner to dispatch to India with the least practicable delay as considerable a reinforcement of European Infantry as it shall be possible for you to spare from the defence of the Colony under your Excellency's Government. If

the view which I have formed of the probable intentions of France in the future progress of the war against Great Britain be correct, the Colony of the Cape of Good Hope is not likely to be the point of attack, and consequently it will not be exposed to any imminent danger by a diminution of its present Garrison.

9. The great utility of the Cape of Good Hope is to serve as a depôt and as an outpost to our Indian Empire, from whence seasoned troops may suddenly be drawn for the defence of our possessions in the East in any emergency which may arise. This advantage was derived from the Cape in an eminent degree during the war against Tippoo Sultan, and I am satisfied under your Excellency's administration the military resources of the Cape of Good Hope will always be applied with the utmost alacrity and judgment to their true object, the preservation of our Empire in the East. I flatter myself that your Excellency will be enabled to send two Regiments of Infantry to India without incurring any considerable hazard during the period which must elapse before those corps can be replaced from England.

10. It is my wish that the European force which your Excellency may furnish in consequence of the present application should be embarked for the Coast of Malabar, to touch in the first instance at Goa, and to be landed there or elsewhere on that coast as the state of affairs at the period of their arrival shall require. With the view to this arrangement the necessary orders will be transmitted to Goa. If however the transports with the troops from the Cape should not reach the Coast of Malabar until the season shall have been too far advanced to admit of their landing either at Goa or at any other place on the Coast of Malabar, it will be proper that they should in that case proceed directly to Bombay, unless the Naval and Military Officers in charge of the reinforcement should previously receive instructions directing the troops to a different destination.

11. Your Excellency will necessarily feel the expediency of composing the reinforcements which you send in consequence of this letter of the most experienced and seasoned troops now at the Cape. The usual course of service has been to season the King's Troops in the climate of the Cape for eventual use in India. Under this system part of the force I received from Earl Macartney was immediately employed in active service, and was distinguished at the siege and assault of Seringapatam.

12. Your Excellency will probably judge it necessary to dispatch an express to Europe for the purpose of obtaining immediate reinforcements for your Garrison, and I shall not fail to urge the necessity of affording you assistance without delay, by dispatching to His Majesty's Ministers an express overland as well as by sea.

I have, &c.

(Signed) WELLESLEY.

[Original.]

Letter from the MARQUIS WELLESLEY to VICE ADMIRAL CURTIS.

FORT WILLIAM, October 24th 1800.

SIR,—Although I have not had the honour to receive any intimation from your Excellency of your safe arrival at the Cape of Good Hope, I have had the satisfaction to learn that event through other Channels; and I accordingly beg leave to congratulate your Excellency on the occasion.

A constant and unreserved correspondence on every question affecting the mutual interests of India and of the Colony of the Cape of Good Hope subsisted between the Earl of Macartney, the late Sir Hugh Christian, and me. Sir Hugh Christian constantly advised me by every opportunity of the strength, condition, and distribution of the Squadron under his command. The intercourse was productive of important benefits to the Public Service, and I am persuaded that your Excellency, advertent to the intimate connection of the relative Interests of the British Possessions in India and of our Establishments at the Cape of Good Hope, will concur with me in cultivating a similar correspondence, and in employing every endeavour, by mutual exertions, to promote the prosperity of the general cause.

The alarming events which have lately happened on the Continent of Europe, combined with equally unfavourable advices from Egypt, have placed our Possessions in India in a situation of considerable danger, notwithstanding the brilliant success of our Arms in the late War against Tippoo Suldaun, and in the Rebellion of Dhoondiah. The French appear to be established

in Egypt with a formidable Body of Europeans, and with a numerous Army of Cophtes disciplined by French Officers. It appears probable that, at an early period, a vigorous effort will be made by France against the British Possessions in India. This Enterprize may be prosecuted either by a Naval Armament with Troops, proceeding directly from France to India, or by a Squadron acting in the Red Sea, and transporting by that Route to India a part of the French Army from Egypt. The earliest effort of France however may be expected to be directed to the relief of her Army in Egypt; and if any attack be made against India at an early period of time it will probably be with the object of diverting our attention from the Red Sea, and of distracting our Naval and Military force, while a French Squadron shall attempt to secure the passage of the Red Sea, and to introduce succours into Egypt by that Channel. The final establishment of the French Colony in Egypt will probably be the period of time when operations against India will be commenced on a more extended scale. It is however difficult to estimate the amount of the force which France might be able to direct exclusively against India even in the ensuing Season, and it is not prudent to act on the supposition that such a Force cannot be formidable, still less would experience justify an implicit reliance in the superiority of our Naval force in Europe; since we have already found during this War that a bold and rash spirit of enterprize may frustrate the utmost efforts of the valour, skill, and vigilance of our Navy, and may elude its acknowledged preeminence both in strength and conduct.

Whatever may be the projects of France, I have reason to expect that, if the War should continue, His Majesty's Ministers will direct me to assist the common Cause through the Red Sea by means of a body of Troops from India to be conveyed to Egypt for the purpose of co-operating with a British Armament acting from the Mediterranean.

Under these impressions, it has been my Duty to request His Excellency the Governor of the Cape of Good Hope to dispatch to India with the least practicable delay the largest Military Force which he may be able to spare. I hope it will be in His Excellency's power to furnish two Regiments of Infantry; and that Your Excellency will have no difficulty in affording the necessary Convoy to the Transports employed in conveying the

Troops in question to India. I have intimated to Sir George Yonge that it is desirable the Troops should proceed directly to Goa; but that if the Season should be too far advanced at the period of their arrival on the Coast of Malabar, it will be proper to land them at Bombay.

In addition to the necessary Convoy for the Military reinforcements, I trust it will be in your Excellency's power to reinforce Vice Admiral Rainier's Squadron, which I beg leave to state to you is particularly deficient in Frigates. Your Excellency will render a great service to the British Empire in India by contributing any aid to this deficient branch of the Naval Service in these Seas.

In proceeding towards India or to the Red Sea, a French Squadron must probably touch either at the Spanish Settlements on the Eastern Coast of South America or at the Mauritius. It is not impossible that such a Squadron would find it necessary to touch at both places. I am satisfied that your Excellency's approved vigilance and judgement will be exercised in observing both these points, and in applying your force either to intercept the Enemy on their voyage or to reinforce Rear Admiral Blankett (who proceeds up the Red Sea in the month of November next) or Vice Admiral Rainier on the Coast of Malabar or at Trincomalé, as the case may appear to require. I am also confident that your Excellency will give Vice Admiral Rainier and me the earliest possible intimation of the movements of the Enemy and of your own, and I flatter myself that you will from time to time apprise us of the general state and distribution of your Squadron.

I have the honour to enclose a Copy of the Signals now in use at the Isle of France, which I have lately procured, and believe to be correct; it may probably be found useful to your Excellency, if you should happen not to possess the same information.

It appears highly probable with a view to all her Objects in Egypt and India, that France may endeavour at an early season to throw a strong reinforcement into the Isle of France. Recent information leads me to believe that such a design is entertained by the Enemy: Its success would certainly aggravate in a great degree the danger of our Indian Empire. I therefore feel it to be my Duty, in the most earnest manner, to recommend to your Excellency to take immediate measures for establishing the

most strict and effectual Blockade of the Ports of the Isle of France, which your Naval force will permit, until you shall receive further advices from me ; and I request your Excellency to apprise Vice Admiral Rainier and me, by every favourable opportunity, of the state of any such Blockade, of its probable duration, and of its effects on the Enemy's force and conduct, as well as of all such information as you may be enabled to collect respecting the internal strength and defences of the Isle of France. I have the honour to transmit a Copy of a Note which has been furnished to me relative to the most eligible plan for maintaining a Blockade of the Ports of the Isle of France. The Note was given to me by a very intelligent Navigator, who has lately passed a month on the Island. In the strictest confidence and with the fullest reliance on your Excellency's acknowledged discretion and secrecy, I apprise you that my views are likely to be directed eventually to the reduction of the Isle of France. It is possible that I may make the attempt in the month of January 1801, or of the ensuing month of May. In the first case, I cannot hope for further assistance from your Excellency than that you should send the most considerable Force which you can spare to cruize off the Island or blockade its Ports at the earliest possible Season ; and if success should attend my Enterprise in the month of January, the naval defences of the Island will be delivered over to your Excellency's Squadron. Should the attempt from India be postponed until the month of May, your Excellency will hear from me again ; and in either case you will render a most essential service by blockading the Ports of the Island according to the suggestion which I have recommended to your attention, and by dispatching frequent advices to Vice Admiral Rainier and to me.

Your Excellency will probably observe that my requisition for a reinforcement of Troops from the Cape is connected with my eventual design against the Isle of France. But as I am satisfied that that design can be best executed directly from India, and that any attempt to obtain a cooperation of Troops from the Cape would be subject to much difficulty, and would perhaps only serve to disclose a plan, of which the success must principally depend on sudden and secret execution, I have resolved to make no communication whatever to the Government at the Cape of my intentions in the present stage of my design ; nor is any person

in India acquainted with them excepting Vice Admiral Rainier and my Brother Colonel Wellesley, who will be employed, if I should determine to carry my plan into effect. The subordinate Governments of India will not be apprized of my views, unless an Armament should hereafter depart for the Mauritius from Trincomalé, where I am now assembling a large force, as a central position for the general Naval and Military defence of this Empire; This force will eventually be applicable to various objects, according to the change of circumstances and events: One of these Objects may be the reduction of the Isle of France, which I know to have been in a state absolutely defenceless in the month of August last.

Your Excellency, I am persuaded, will not suffer this most secret and confidential communication to transpire beyond your own breast, and I am satisfied you will contribute every effort of your talents, experience, and public zeal to aid my views, if it should appear to me expedient to prosecute the undertaking to which I have referred in this Dispatch.

Vague surmises and conjectures will always arise in the public mind, whenever any Military or Naval preparations shall appear to occupy the attention of Government, and possibly such may reach your Excellency with regard to the present Armament in India; but you may be assured its real objects are only known to those whom I have named, and are precisely such as I have intimated. I have &c.

(Signed) WELLESLEY.

[Copy.]

Letter from the MARQUIS WELLESLEY to VICE ADMIRAL CURTIS.

FORT WILLIAM, *October 25th 1800.*

SIR,—In my dispatch under date the 24th of October, marked most Secret, I had the honour to offer to your Excellency several suggestions with regard to the employment of His Majesty's Squadron under your Command, for the purpose of aiding the

Defence of the British Empire in India in the present crisis of affairs.

It has occurred to me that it may be useful to state more distinctly to your Excellency my estimation of the relative importance of each of the several objects which I have recommended to your attention.

I shall therefore recapitulate in the Order in which they stand in my Dispatch of the 24th, adding my observations upon each.

First. To give Convoy to India to any Troops which may be embarked from the Cape of Good Hope in consequence of my application to His Excellency Sir George Yonge. I conceive this Object indispensable, and I conclude that one Frigate would be sufficient for the purpose.

Second. To reinforce Vice Admiral Rainier's Squadron, particularly in Frigates. This object, excepting in the event of the actual approach of an Enemy to India, in my opinion is of inferior importance, either to the accurate observation of the Enemy's movements on the Coast of South America or at the Mauritius or to the Blockade of the Mauritius.

Third. The Reinforcement of Rear Admiral Blankett. I cannot expect your Excellency to provide for this Object, unless in the event of an Enemy actually proceeding towards the Red Sea, in which case I presume that you would think it advisable to pursue them with your whole force, giving advice by express to Vice Admiral Rainier wherever the tenor of my Dispatches might lead you to expect to find him.

Fourth. The immediate and effectual Blockade of the Isle of France. This Object is in my judgement the most important of all those which I have enumerated, with the exception only of the actual pursuit of an Enemy actually proceeding towards the Red Sea or to India.

Fifth. I am aware that, if it should appear to me expedient to prosecute my design against the Isle of France in the month of January next, it may be difficult for your Excellency to reach the Island before the operations of the intended Armament may have been brought to an issue. If the expedition should be prosecuted in the present Season it will probably leave Trincomalé about the 25th of December and proceed directly to the Isle of France, making the Island of Roderiguez.

Sixth. For the purpose of aiding your Excellency's communications with the Ships composing the expedition, I have the honour to enclose a Copy of Signals applicable to every case which I can foresee.

Seventh. As it is possible that the Ship which conveys these Dispatches may make a quicker passage to the Cape than I now expect, and as your Excellency may be in possession of Advices from the Isle of France of a later date than any which can have reached the Officer Commanding the Expedition, I request you, immediately upon the receipt of this letter, to dispatch an advice Boat to cruize off the Island of Roderiguez, according to the suggestions contained in the Memorandum annexed to the Dispatches, with the latest intelligence which you may possess of the state of affairs at the Isle of France, particularly specifying whether any Naval or Military supplies, and whether any and what reinforcements may have been thrown into that Island since the 5th of August 1800, down to which period I am in possession of accurate information.

Eighth. If no Vessel from Vice Admiral Rainier should have appeared off Roderiguez previously to the 5th of February, it would be advisable that Your Excellency's advice Boat should proceed to the nearest Port in India and land your Dispatches to Vice Admiral Rainier, or deliver them at Sea to any of His Excellency's Cruizers which will have received orders to forward them immediately to His Excellency.

Ninth. It will be extremely important, if the Expedition against the Isle of France should not sail from India in the present Season, that your Excellency should from time to time furnish us with every information which you may receive from that Island to the latest possible period. The month of April would be the Season for renewing the Expedition, if postponed in the present Season. I have &c.

(Signed) WELLESLEY.

[Original.]

Letter from SIR GEORGE YONGE *to the* RIGHT HONOURABLE
HENRY DUNDAS.

CAPE TOWN, 25th October 1800.

SIR,—I am honored with your Letter of the 27th April relative to the Lutheran Minister, Mr. Hesse, who is just arrived in the *Wellesley*, in consequence of which I have introduced him myself to the Wardens of the Lutheran Church, strongly recommending to their favour, and I have had the satisfaction since of being assured by them that they are perfectly satisfied with Him, and they desired to return their thanks to Government for the attention paid to their request. They have also, in consequence, requested me to state, that being by this means provided so much to their satisfaction, they wish, in case any Minister from Holland should be preparing to come here to serve their Church, he may be stopp'd, as they have no occasion for any other. I have &c.

(Signed) GEO. YONGE.

[Copy.]

Letter from MR. JOHN PRINGLE *to* SIR GEORGE YONGE.

CAPE OF GOOD HOPE, 31st Octr. 1800. .

SIR,—I do myself the honor of transmitting to your Excellency Copy of a Letter I have this morning received from the Government General of India, by which your Excellency will perceive the Resolutions formed by the Right Honourable the Governor General of supplying this Colony exclusively in future with Indian produce. I shall therefore be happy to receive any Commands on the subject which you may Judge necessary. I have &c.

(Signed) JOHN PRINGLE,
Agent to the Hon'ble E. I. Company.

[Copy.]

Proclamation by SIR GEORGE YONGE, BARONET, &c.

Whereas it appears from the Reports delivered in by the Collector of the tythes on Corn, &c., &c. that the quantity of Wheat brought into Cape Town has fallen infinitely Short of what it has been at this Season in any of the preceding Years; and as there is every reason to be certain, that the product of the last Years harvest was a good one; consequently the quantity of Wheat still in the hands of the Farmers must be considerable, and only kept back from Market on account of the highness of the price and the hopes of its still rising: I do therefore hereby order & Command, and it is hereby ordered & Commanded,—

That the Farmers shall on or before the last of the ensuing month of November, bring up to market in Cape Town, whatever quantity of Wheat they may still have in hand, reserving to themselves for the Consumption of their Families provision of three months from that period.

Secondly—It is hereby strictly prohibited & forbidden to any person or persons whatsoever, residing in Cape Town or in the environs, between the Roode Bloem and Salt River, to purchase or lay up in Store any Wheat, as the whole of that necessary article of life must pass into the hands of the Public Bakers, or into that of Government, and any person or persons who shall act contrary to the Law contained in these two Articles shall upon Conviction thereof, before the proper Magistrate, forfeit a Sum of Five hundred Rixdollars, besides the Confiscation of the Wheat, One third of which fine is for the benefit of the informer.

And I do hereby further declare and make known to all whom it may concern, that should it appear, that notwithstanding the Order contained in these presents, the farmers should continue still fraudulently to withhold their Wheat from market, that a commission shall be forthwith sent into the Country for the purpose of enquiring into the cause of the Scarcity and detecting those who may have occasioned it, and any person or persons who shall be found to have acted contrary to these my positive Orders & Commands shall upon Conviction besides the confiscation of the Wheat so found, pay a penalty of One Thousand Rixdollars.

It is not intended that the regulations contained in the above Articles of this Proclamation should affect those Farmers residing on the other side of the Hottentots Holland Mountains, or beyond the limits of the Roode Zand or Four & Twenty Rivers.

Given under my Hand & Seal at the Castle of Good Hope this 31st day of October 1800.

(Signed) GEO. YONGE.

[Original.]

Letter from SIR GEORGE YONGE *to the* RIGHT HONOURABLE
HENRY DUNDAS.

CAPE TOWN, November 10th 1800.

SIR,—This will be presented to you by a Mr. Woody, a Gentleman destined for the Medical Staff in India, but whose health proved such, on his arrival here, that he was unable to pursue the Voyage, and obliged to return home. During his stay here, some conversation on the Subject of the Small Pox led to a discussion between some of the Principal Inhabitants and Him, on the subject of the Cow Pox, with which he is well acquainted, and which he explained to them—and that It was possible to be Inoculated for this disorder which would be a preservative against the Small Pox.

The Small Pox is the greatest Scourge this Colony has to dread, having been accidentally introduced here about thirty years ago, when more than half the Inhabitants of this Town fell victims to it; and some alarms having been lately given about it, I have been earnestly applied to, by many of the principal Inhabitants, for my approbation of the Cow Pox being introduced here, for the purpose of Inoculation, the dread of the small Pox being so great, that the Introduction of the Small Pox would be impossible for this purpose, besides that, it appears from the accounts given of it, that the Cow Pox thus Inoculated, is not infectious.

There occurs to me no objection to the measure, and the anxious Solicitude of the Inhabitants, inclines me to a compliance with the request, more especially as I understand the Inhabitants are willing to enter into any subscription to defray the expence of

the experiment, and Mr. Woody has also yielded to their solicitations, and consented to return and superintend it, being well conversant with it; But in a matter of this magnitude I have thought it adviseable to submit it to Government, thinking it first necessary that a proper investigation should be made to see whether, what is thus advanced concerning the Cow Pox, is well founded, or can be supported by experiments sufficiently to make it worthy of the trouble & expence of endeavouring to send it out for an Experiment here.

Having never heard anything of it myself in England but in a very vague way I can say nothing of it myself further than that I understand in the Dairy Counties, and more especially in Gloucestershire, the Cow Pox is a disease, arising from whatever Cause, which occasions Ulcers in the Dugs or Teats of the Cows, which infect the Dairy Servants, who are employed in Milking, if their Hands, or Arms, where the Skin is broke, or chopp'd, just happen to receive the Pus, which Issues from these Ulcers, from whence they receive an Infection which occasions a disorder similar to the small Pox, and which once taken, is a preservative against that fatal disorder.

How far this is true, or not, I cannot say, but I understand some Treatises have been written upon it by a Dr. Jenner Dr. Woodville and others, and some extensive experiments have been made of it in the Small Pox Hospitals in London, which is all I know of the matter, I must therefore leave it entirely to the wisdom of Government to determine, whether this matter, does or does not, deserve any serious consideration, having at present nothing to determine my Judgement, and desiring only to be understood as complying with the earnest solicitations of the Principal Inhabitants of this place who are full of anxiety on the subject, and have urged me so strongly upon it, that I thought I could not refuse their request to lay it before Government.

I have &c.

(Signed) GEO. YONGE.

[Copy.]

*Letter from SIR GEORGE YONGE to MR. JOHN PRINGLE.*CAPE TOWN, *Novr. 12th 1800.*

SIR,—I have received your Letter of the 31st Ultó. enclosing a Letter transmitted to you as Agent for the East India Company in this Colony, by Order of the Governor General & Council at Fort William, and acquainting you with the resolution taken relative to the supply of East Indian Commodities to this Colony, and the manner in which such supplies are in future to be conducted.

And in answer to your request to know what I may judge necessary to be done, in consequence, on the Subject, I am of opinion, that the Indents, required in the said Resolution should constantly be made out in the manner therein set forth, But no Indents are to be made out, nor ought any supplies to be applied for, in the way proposed, without previously making known to Government here the necessity for such supplies, and the nature of the supplies required for the use of the Colony, nor without receiving Licence from Government, or the representation so made of such necessity to prepare such Indents and apply for such supplies—and no such Indents are to be transmitted without being accompanied with Duplicates of such Application, and also of the Licence granted for making out such Indents accordingly; and all such Applications are to be made a sufficient length of time previous to such Indents being made out and with a sufficient explanation of the necessity and extent of the supply so required, that not only Government may be enabled to Judge of the propriety of it, but also that an early information may be sent to the several Presidencies in India, by which they may be the better prepared to furnish such supplies when so required as aforesaid.

I am &c.

(Signed) GEO. YONGE.

[Original.]

Letter from SIR GEORGE YONGE *to the* RIGHT HONOURABLE
HENRY DUNDAS.

CAPE TOWN, *Novr. 15th 1800.*

SIR,—I have the Honor to send you the enclosed Copies and Extracts of a letter addressed from the Governor General & Council at Fort William to Mr. Pringle as Agent to the East India Company here, & Mr. Pringle's letter to me transmitting to me a Copy of the said letter—and my answer to him, relative to the Supply of India Produce to this Colony from India by the East India Company.

I do not exactly know the nature of the Representations which have produced these Resolutions of the Governor General & Council, but the Regulations proposed appear to me to be proper enough and they shall be strictly observed.

At the same time this Incident leads me to consider the Subject in a more extended point of View, and as It strikes me in a Light of great Importance, I think it my Duty to submit my Sentiments upon it, which having done it will be left to the Wisdom of Government to decide upon it.

As far as I can Judge of the Subject, after examining it to the Bottom as well as I am able I do not see that this Colony stands much in need of East India Produce, and it appears to me, that what it does stand in need of, should rather be furnished from Great Britain than from India. This may seem a very circuitous mode of Supply, But I cannot help thinking it much better the Mother Country that it should be so, and I think that with proper encouragement from Home of Drawbacks, or other proper Indulgences, on the Exportation from Great Britain of such Goods, The inconvenience of such circuitous Supply would not be greater than this Colony may well bear, and indeed Great Britain has in Itself Manufactures of Linens & Cottons so nearly resembling India Goods as to answer almost every Purpose which they now answer, and by the means suggested they might I should think be supplied at a price reasonable enough not to be complained of. And I think British Muslins, Cottons, Velvets, Linens, & Wool-lens, would soon become as natural & convenient here as East India Produce which I think is at present looked to here, as much

from old Habit & connexions with India as from any thing Else, or if not, It certainly appears to me desireable gradually to reconcile the Inhabitants to the use of the one rather than the other which I conceive encouragement and an abundant Supply on the one Hand, & perhaps Duties on the other, would no doubt effect in time, especially if in some articles It should happen, which I think likely, this Colony should be able to produce within Itself some of the Articles now supplied from India, In which case I am clearly of Opinion this Colony would not stand in need of any Supply from India at all, with the Aid of what it may receive if properly encouraged, from Great Britain.

There is one thing which I own I cannot understand the Policy of, & it seems to me likewise to militate both against the Interest of the Colony & of Great Britain. At the same time that the Produce of the Colony pays the Tythe, or a Duty equal to the tenth of the Value to Government, & all Goods imported pay ten p Cent Duty (except British Goods which come free) yett East India Produce pays only 5 p Cent. I cannot learn upon what this is founded, but surely it is inconsistent with the Fears of an illicit Traffick to give the importation of Indian Produce so much advantage, I should propose therefore to put this on the same Footing, as all other Goods except British, & this will tend to check any sort of illicit Practices which the East India Company may think they have reason to fear, & this seems to me to be another Reason, why It is desireable to knit & tye this Colony to the Mother Country as much as possible, & to make it look no more to the East, which it has really no need of, or at least would have none, if Great Britain did but make Regulations to encourage an ample & regular Supply from home of the several Commodities which may be required. This is far from being the Case at present, & the want of a regular communication is a very great Inconvenience. An Encrease of Inhabitants & of Cultivation will also produce an encrease of demand on Great Britain for Articles of all Sorts, and open a Market for British Manufactures which will be continually increasing.

The Indulgence already shewn as I hear, tho' not officially, to Cape Wines and Brandies will be a very great encouragement & is a very salutary & wise measure; similar measures adopted to encourage the Supply from Home of the several Articles here suggested, & of East India Produce, also will have the best effect.

And I repeat it again, this Colony looking then to Great Britain instead of India, will not want East India Produce. To say the Truth, It has very little need of it now, & will have less & less. This Subject branches out into many Important considerations into which I am naturally led. The situation of the Cape makes it the *Gibraltar* of this Part of the World, and it is so acknowledged by France, Holland, America, & by the East India Company, by the unanimous concurrent Voice of all these It is admitted & confessed, that an Active Power possessed of the Cape will command all communication between the Eastern & Western World, for they cannot avoid coming in the reach of Cruizers properly stationed from hence, either going or coming. Politically speaking therefore this is a Point of great Importance. In a commercial Point of View, & as a Market for British Commodities Its value is rising every Hour, & cannot be calculated. In both Points of View, It deserves the most serious Attention of Government, & that measures should be taken to give the best effect to all that it is capable of, what those measures should be, It is not fit for me to pretend to determine. That must rest with the Wisdom of Government. But generally speaking it appears that some relaxation of Duties on Articles whether British or Foreign if exported from Great Britain hither would be very advantageous not only to this Colony but to the Mother Country, and if at the same time the same wise encouragement to the proper Import of articles the Produce of this Colony as has been already given to Wines & Brandies were extended to such other Articles as this Colony may from time to time have to Import, of its own Produce of which the most pleasing assurance has been given by what has been already done, there is every reason to hope for such an encrease of Power & Wealth to Great Britain and of Happiness to this Colony as cannot fail amply to reward the measures of Government & answer every Wish.

I hope I shall be excused troubling you with these Observations arising out of the Subject of the letters alluded to, & of the actual State of the Colony, which I beg leave to submit accordingly. I have &c.

(Signed) GEO. YONGE.

[Original.]

*Letter from SIR GEORGE YONGE to the RIGHT HONOURABLE
HENRY DUNDAS.*

CAPE TOWN, *Novr.* 15th 1800.

SIR,—Though I have wrote fully & I hope satisfactorily on the Subject of your letter of the 21st of May last, by my Aid de Camp Captn. Tucker who sailed from hence about three weeks ago, yet having now another Opportunity, by the *Apollo* from Bengal bound to England, I embrace it to state to you briefly what strikes me most forcibly on the Contents of that letter.

It may be divided into distinct Points.

Improper interference on the due Authority of H. R. H. the Duke of York as Commander in Chief, and Disrespect to him.

Unnecessary Expenditure incurred by me here.

Deviation from the Plan laid down and approved in my Predecessors time.

Reflections on the Conduct of my Predecessor.

Disrespect to the Commander of the Forces here.

On every One of these Points the more I consider them, the more I am at a Loss to guess what they mean even unauthorized and unofficial as you say the Representations are, yet I conceive they can have no Foundation for which I will briefly state my Reasons reserving to another Opportunity entering more at large into the Subject.

First the only Military Measure which from my Arrival to this Hour, I have been concerned, was one soon after my Arrival, which can hardly be called a measure, & still less deserves in the least Degree the Character given it, since it was no more than sending home the usual Military Returns, with the Vacancies since the last Returns, which was simply accompanied by the Names of the Officers next in succession, In Case H. R. H. should approve of the successions going in the Regiments. Nothing could partake less of the Character of interfering than this, nor less of an Inclination, Intention, or Wish, to interfere, nor could any thing partake less of any want of attention since it was perfectly a mechanical & official Form submitting the whole to H. R. Highness.

In the next place I did not even think of sending these

Returns, till called upon by the Adj. General, and Brig^r Gen. Fraser, then acting as Lt. Govr. in the absence of Maj. Genl. Dundas. These brought me the Returns, & informed me it was usual so to do & to name the Officers to be submitted to H. R. H. There were only two Cases out of the succession one a Son of B. Gen. Fraser's to a vacant Cornetcy which I submitted to H. R. H. at the General's repeated & earnest request. The other a Capt. Lt. for my Aid de Camp submitted in like manner, the succession being then under circumstances which I conceived made it not improper, & which were explained for His R. H. approbation.

If there is anything of Error in all this, If there is anything inattentive in all this, I can only say, that It was far from my Intention & that I have at least erred & been inattentive with the whole Garrison, & with the Principal Officers in it, who all applied to me & urged me to do it, in Justice to the Officers & according to the usual Practice as they represented it to me.

The next thing is unnecessary Expences incurred.

On this I can assert the expences were not incurred by me, They were become not only necessary but unavoidable by others, and were a Legacy left me, which on my arrival I found myself obliged in the most urgent degree to discharge to prevent the further encrease of them, they were the result of five years ruinous neglect & inattention & not of my Creation.

The next thing is deviation from the Plan of Administration approved of by Government. To which my Answer is That I have done no such Thing. Immediately on my arrival I directed my Instructions to be registered, & ordered a strict adherence to the Plan already laid down, which I have reason to think has been adhered to, since on the receipt of your letter, I have called on the several Officers, who have assured me, & all the accounts & documents of the several Offices will shew that there has not been the least deviation whatever & that my Instructions have been strictly complied with.

The next of Reflection on my Predecessor, If by that is meant anything more than what I have already stated, it is an Idea so unfit to be entertained that I trust it cannot be believed for a moment or need any denial from me.

The last is Disrespect shewn to the Commander of the Forces here.

On this Point I have had occasion to trouble you already much more than I could have wished, But, if this relates to any Circumstance of the Returns above stated, I shall only say That in this, as in every thing I have paid him the Utmost attention in my Power & that before the Returns were sent, I wrote to him by *Express* to inform him they were going, & to state to him the Vacancies & successions proposed, I wished to know his Sentiments upon them, to which in his Answer, the General not only made no objection, but assured me of his Desire to concur with what was proposed. Not content with this, I sent again to desire to receive his final Commands, & offered to detain the Dispatches as long as he pleased, & it was not till I received his final answer stating he had nothing more to send, & desiring the Packet might not be detained any longer, that I suffered it to depart. In this therefore I conceive there was no want of Attention, nor has there been on any occasion whatever.

I have gone through the several Points contained in your letter, as far as it is possible upon conjecture, & upon unofficial and unauthorised Information. I have endeavoured to omit nothing. There is only one Point more upon which whether meant to be alluded to as a measure deserving to be qualified with the Epithet of disrespectfull or Inattention to H. R. H. or to the Commander of the Forces here or not I cannot tell, But I wish not to pass it by I mean to allude to the establishment of the Barrack office & the recommendation of the Persons to be employed in it—upon this Point I have first to say that I conceive the Barrack office to fall within the Civil Department of the War Office, & this I cannot be much mistaken in, since it was established first by me, when I was at the Head of that Office, & when I think there was no Commander in Chief, & yet at the same time that it was established I submitted it to the approbation both of H. R. H. & of the Secretary of War, & also to the Barrack Master General in England, & with regard to the Commander of the Forces here Both the Utility of the measure & the execution of the Duty by the Person recommended to be at the Head of the Office, has constantly met with his entire, uniform, & public approbation & every Act done since the establishment has been done under his sole Orders & direction without any Interference of mine or any Interruption from me.

I believe I must now have gone through every Point on which

your letter of the 21st May can possibly be supposed to turn and I have done it briefly, because till I have more formal Explanation I cannot enter more fully on the Subject, & I have also done it as briefly as possible, Because I confess what I feel on the Subject, is more than I could wish to dwell upon longer than was necessary, & I rather leave it to you to imagine it, than attempt to express it myself. I have &c.

(Signed) GEO. YONGE.

[Copy.]

Proclamation by SIR GEORGE YONGE, BARONET, &c.

Whereas it is become a matter highly expedient, not only for the Supply of His Majesty's Troops in Garrison here, but likewise for the squadron on the Station, and for every Individual residing in Cape Town and its Environs, that a Sufficient quantity of Wheat should annually be laid up in Store, to guard against the danger arising from the failure of a Harvest, a circumstance which experience proves in this uncertain Climate is by no means unlikely to be the case; I do therefore feel it a duty incumbent on me to adopt such timely measures as appear most effectual, to avert so dire a Calamity which would at once involve this now flourishing Colony in total ruin, and consequently to order and Command that the following Rules and Regulations with respect to Wheat and Flour may be strictly attended to and obeyed.

First. It is my positive Order that all Wheat, which according to annual Custom, the Farmers bring up to Cape Town, shall be immediately delivered over into the Care of Commissioners, that will be appointed by Government, to be by them deposited in the Magazine prepared to receive the same, or delivered to the Bakers, as the case may require; from the said Commissioners the Farmer is to receive the immediate payment for his Load of Wheat, consisting of ten Muids, at the rate of Forty-three Rixdollars, out of which Sum he is to pay the usual Tithe to Government of three Rixdollars.

Secondly. All privileged Bakers, both in Cape Town and Simons Town, as well as those of the Army and Navy, are

hereby positively forbidden to purchase any Wheat or Flour from any farmer or any other person whosoever, but they shall receive from the before mentioned Commissioners the quantity they may require for the Consumption of their respective Customers, taking care not to demand a larger proportion than what is absolutely necessary, for which Wheat so delivered to them, they shall pay at the rate of Forty-five Rixdollars and a half the Ten Muids. And all the Inhabitants of Cape Town, and its Environs, and those residing near the Salt and Liesbeek Rivers, and so on to Simons Town, including the Districts of Rondebosch, Wynberg, Steenberg, Slangekop, &c., &c., are likewise hereby strictly prohibited from purchasing any Wheat or Flour from any other person or persons except the aforesaid Commissioners, or to receive it in any other manner at their places (paying at the same rate as the Bakers) from whom they shall receive the quantity necessary for the consumption of their families and Slaves, of both of which they are to give in a correct List to the Commissioners, and any Baker or private Individual that shall be proved to have acted in any wise contrary to the Rules and Regulations contained in this Article shall be fined the Sum of Five Hundred Rixdollars besides the confiscation of Whatever Wheat or Flour they may have purchased or laid up in Store, one third of which fine is for the benefit of the informer.

Thirdly. All such Inhabitants residing beyond the Limits already prescribed, who either from a failure of their own Crop, or on account of their not growing any Wheat themselves, are obliged to purchase the Same elsewhere, must previously be provided with a Certificate from the Landdrost of their District, or in case of their residing too far from the Drostdy to procure the said Certificate, then and in that case, it must be signed by two Field Cornets, in which it shall be stated how many their Family and Slaves consist of, and the quantity necessary for their consumption till the Harvest following, without which Certificate, so signed, it shall not be lawful for any person or persons whosoever either to buy or sell any Wheat or flour, under the Penalty upon Conviction of Five Hundred Rixdollars, both to the buyer and the Seller one third of which, as usual, is for the benefit of the Informer.

Fourthly. In order that a Sufficient provision of Wheat may be in Store against the beginning of next Year, I do hereby

order and Command, that the respective Corn Farmers shall bring up to Cape Town, as expeditiously as possible, whatever Store of old Corn they may still have in hand, or Such new Corn of this Year's Harvest as may be ready threshed, taking Special care that before the 1st of April 1801 at least the half of What Wheat they may have reaped this Harvest shall have been brought up to Cape Town, and Such Corn Farmers, after having sold, agreeable to the Regulations contained in the preceding Article, to those in the Country, who may stand in need of Corn, the quantity they require, are hereby ordered to bring up to Cape Town the remaining Stock they may then have in hand, reserving to themselves the quantity necessary for their own consumption, until the month of January following, and what is requisite for seed against the Sowing Season—and if it shall be found by the Commission, that will be sent into the Country next April that any Farmer shall have acted contrary to the Regulations contained in this Article he or they shall besides having their Corn Confiscated, pay a fine upon Conviction of Five Hundred Rix-dollars.

Fifthly. I do likewise hereby positively forbid any Corn, flour or Biscuit from being exported without the special permission of Government, in like manner is it also forbidden for any person or persons residing in Cape Town or in the Country, to feed their Horses or any other Cattle with Wheat, flour, Bread or Biscuit, unless the Same shall have been allowed by the Same Commissioners, to be purchased as damaged, under the penalty upon conviction of Two Hundred Rixdollars, one third of which fine is for the Benefit of the Informer.

Sixthly. The respective Bakers are hereby directed every Saturday to give in to the Fiscal in writing, an exact Statement upon Oath if required of the quantity of Bread, Flour or Biscuit they have sold or made use of during the week, and the Said Bakers are positively forbidden to sell to any Inhabitants whatever, any Wheat or any other Flour, except fine Flour and of that not more than ten pounds, without special permission to that effect.

Lastly. It shall not be lawful for any Wheat to be sold in the respective Country Districts during the Year 1801 at a higher rate than Forty Rixdollars the ten Muids, under the penalty of One Hundred Rixdollars to be levied both upon the Vender and the purchaser.

These Regulations being ordained and Settled upon mature consideration, having no other object in view except the general good, which all Ranks and Conditions must experience from them; I do by these presents strictly enjoin the due obedience and observance of them, and all Magistrates or any other person or persons, to whom they may relate, are hereby called upon to maintain the same, and to see that the Laws contained are neither broken or infringed upon, and that should any person or persons be found hardy and daring enough to transgress against the same, that they may meet the punishment due to their Offence.

Given under my Hand & Seal Castle of Good Hope this 4th day of December 1800.

(Signed) · GEO. YONGE.

[Original.]

*Extract from a Letter from VICE ADMIRAL CURTIS to
EVAN NEPEAN, ESQRE.*

Lancaster, TABLE BAY, 11th December, 1800.

The *Abundance* Storeship, not being able (owing to the now prevailing S.E. Winds) to fetch this place, anchored in St. Helena Bay, situated about 30 Leagues farther Northward, on the 10th November, having then been 170 days from England. Owing to adverse Winds and keeping company with the Ships bound to India, her track was far too near the Coast of Africa, and consequently met with much Calm weather. She stopped for a few days at the Island of St. Helena for Water, and also obtained there a small quantity of Provisions, but notwithstanding this supply she had nothing on board when she got into St. Helena Bay but a few days allowance of Pease and Oatmeal, and very little Water. The moment I was informed of her being there I hired a small Vessel (having nothing under my Authority to perform the Service) and sent by her an ample supply of Provisions and Water, and also a Pilot to conduct her hither, where she arrived on the 30th of November, and is now unloading with all possible despatch.

(Concerning repairs needed by the *Adamant*.)

[Copy.]

Proclamation by SIR GEORGE YONGE, BARONET, &c.

Whereas I have judged it expedient for the public safety to order and direct, by my Proclamation of the 4th December, that a quantity of Wheat amounting to 40,000 Muids shall be bought up by Government, and kept in Store for the supply of His Majesty's Troops, the Squadron on the Station, and the Inhabitants of this Colony, and as the Season is now at hand in which the Farmers according to Custom bring up their Wheat to Market in Cape Town : It is my positive Orders and Commands, that the following Rules and Regulations in addition to those contained in my Proclamation before alluded to, shall be strictly attended to & observed.

First. All Licensed Bakers residing in the Cape and Simons Town, are hereby ordered to provide themselves immediately with the quantity of Wheat they may require for the Consumption of their respective Customers for the next six Months ; which Wheat they will receive upon proper application from the Storekeeper of the Corn Magazines, paying for the same at the rate of Rds. 45—4 the ten Muids.

Secondly. The Inhabitants to whom the purchasing of Wheat in any other manner except out of the Government Magazines is prohibited and forbidden, are likewise hereby called upon and commanded to give in to the before mentioned Storekeeper before the expiration of next month, a correct list of their family and the number of their Slaves ; and at the same time they are to provide themselves with the quantity of Wheat necessary for their consumption for the ensuing six Months, paying for the same upon delivery at the same rate as the Bakers ; and any person or persons who shall be found to have disobeyed the Orders and Regulations contained in these two articles, shall upon conviction pay a fine of 500 Rixdollars one third of which shall be for the benefit of the Informer.

Thirdly. The Farmers are hereby ordered to obey such directions as they shall receive upon their arrival in Cape Town, respecting the delivery of their wheat ; for which purpose a proper person will attend regularly at the Barrier, in order that as soon as they shall have paid the duty due to Government, they may be informed where their Wheat is to be deposited, and likewise where they are

to receive payment for the same; and should any person or persons act contrary to the orders contained in this Article, he or they shall forfeit upon Conviction whatever quantity of Wheat they may have then to dispose of.

Fourthly. Such Inhabitants in the Vicinity of Cape Town, who do not buy bread from the Bakers, must previously make oath, that the Wheat which they may receive out of the Government Magazines is intended for the consumption of their family and slaves, and for no other use or purpose whatever; and in order that the greatest regularity may be observed in the care and management of the Government Corn Magazines, I have thought proper to constitute and appoint John Hooke Greene Esqr. and O. M. Bergh Esqr. to be Inspectors, and Abraham Fleck Esqr. to be Treasurer and Storekeeper of the same; and all such Rules and Regulations as they may judge necessary to establish for the safety of the Grain under their care, or for the receipt and subsequent issuing of the same, all persons in any wise concerned therein are hereby commanded to attend to and obey.

Be it further known, that no Grain will be received into, or any Grain issued from the Government Corn Magazines on Sundays, as on that day they are positively commanded to be kept shut.

Given under my Hand and Seal at the Castle of Good Hope this 22nd day of December 1800.

(Signed) GEO. YONGE.

[Copy.]

Exports of Colonial Produce during the year 1800:

	Rds.	Sk.	St.
From 1 January to 31 March 1800 .	45,530	1	0
From 1 April to 30 June 1800 .	12,775	6	0
" " " " from Simons			
Town	1,343	4	0
From 1 July to 30 September 1800 .	5,045	4	0
" " " " from			
Simons Town	975	0	0
From 1 October to 31 December 1800 .	5,367	0	0
	<hr/>		
	71,036	7	0

(Signed) JOHN HOOKE GREENE, Collector.

[Original.]

Letter from SIR GEORGE YONGE *to the* RIGHT HONOURABLE
HENRY DUNDAS.

CAPE TOWN, *Jany.* 5 1801.

SIR,—I have to acknowledge the Receipt of your Duplicate of the 28th July No. 10, the original not being yett come to Hand.

On the Subject of the rude uncultivated State of the Caffres, Hottentots, Boschiesmen, and other Wild Tribes, on the Confines of the Colony, what you are pleased to observe Is perfectly applicable to them in the State they were in before the late troubles, and as long as they Continue to remain in that State the Policy of regarding them as Independent Tribes, Is very Just, but I have the Satisfaction to acquaint you, that the measures necessarily taken during those troubles, the Powerfull Interference of Government on that occasion, the unavoidable Communication with the Natives, and the Measures since pursued have Produced very Considerable Effects on the Civilization of those People, and have brought them very much under a Dependance on, and Connection with, Government, so that, so far from rejecting or being now averse to any proposals for their Civilization, or the Protection of Government, and the Administration of Justice, or their being amenable to the Laws of the Colony, as formerly, they now look up to Government for their Protection, and to the Administration of Justice, as their best Security.

Formerly, under a weak oppressive Government, (the reverse of the Present) the Boors, tho' of Dutch Extraction, and holding Improvident Grants from the Dutch of Immense Tracts of Country, yett become almost Independent and full as Savage as the Natives, regarded being amenable to Justice as a Grievance while their Cruelty to the Hottentots and Boschiesmen, and their Depredations on the Bordering Caffres, produced those Scenes of Blood & devastation which have lately pervaded those Parts of the Colony and in the End Effected those Hostilities, in which they joyned themselves, which aimed at the subversion of the whole.

The State of Things Is now much alterd and I am happy to say, for the better. The Evils all have suffered from the mutual Destruction of each other, and the Firm unshaken Conduct of

Government have made room for other Ideas. The Boors have learnt that they cannot exercise their cruel Barbarities over the Hottentots with Impunity, and even (though that they have learnt with much Reluctance) in the advantage to themselves, and this has been and Still Is, the most difficult Task of Government, to gett the better of the Regret & Malice with which they View the firm Protection given to the Hottentots in their Kraals, in Tracts of Land, which they had driven them from, and to teach the Boors, that those poor Creatures will thus become of more use even to themselves, than they ever could be in the wretched State to which they were reduced and especially, in the State of Despair to which they were driven, and the Spirit of Revenge which in Consequence animated them. Unremitting and Firm endeavours have however effected much. The Boors are becoming less Savage Masters, under the Eye of Government, and the poor Hottentots are returning to their masters under the Protection of Government, and by a Strict administration of Justice, more usefull Servants, & more peaceable. The Fugitives of all Sorts which the troubles had driven from their Habitations are almost all now returned, and resuming the Cultivation of their Lands, and all look up to Government for Justice and Protection. In such a Change in the State of Things, to withdraw that Protection to Cease to administer Justice, and to leave all those People to become again Wandering Tribes, scarce acknowledging any Government at all, would, I conceive, be the Weakest and most Dangerous Policy in the World, and as a Proof how different they are become from what they were, on a very recent menace of an Invasion from the Caffres belonging to Guyka at the Instigation of some fugitive Rebels who had fled into his Country, all the Boors and Hottentots in the districts of Zuurveld, Sneeuwberg and Brintjes Hoogte assembled in arms under their respective Commandants, according to the Old Regulations, ready to defend Government against the Invaders. I cannot think It would be wise to lett these become wandering Tribes again.

The only Tribe which remains yett uncivilized & Savage are the Boschiesmen. They still Continue their Depredations and the Boors Continue to destroy them. But Government has lately taken Measures for the Civilization even of these, and The Boors themselves have been prevailed on to try to assist in bringing them to amicable Terms. Should these efforts be successfull all

will be at Peace under the Sanction of Government to which all those now look up to Settle all their Differences, and as soon as some Compensation Is made to some Innocent Sufferers which is ordered, I trust that at the same time that some Guilty are punished, the rest will all become more Civilised, and begin to feel the Benefits of a more orderly State of Things. It was with this View, and In the Hope that this would be Issue of the Measures which were Intended to be taken, that I took an Early Opportunity of Submitting the Idea of Instituting a more regular Administration of Justice, an Idea which I own I adopted very early, because It appeared to me from the very first, that, whatever other Circumstances might occasion the late Troubles, one Great Cause of them was, That neither the Government, such as it was, nor the Governed, such as they were, had any Notion of Justice whatever, and I have accordingly acted upon that firm and rooted opinion in my mind, That Justice Is the only true bond of Society; and the best Preventive of as well as remedy against Confusion and Disorder, and I am happy in the first place to say, That this is now no longer to be despaired of, and in the next Place, to find my Idea so far Sanctioned by Government as relates to the Measure which I conceive to be the Corner Stone of the Building namely The Annual Circuit to be made by two Members of the Court of Justice, from which I hope the happiest Effects. The Fiscal Himself has offered to be one of the First to go on this Service, and He is now occupied in preparing a Plan for the Government, and Regulation, of such a Commission.

With regard to the Caffres, They no Doubt will Continue as Wandering Tribes, and not even dependent on the Colony. The utmost that can be for the present Expected Is that they will be Peaceable Neighbours.

The Chief on the Other Side of the River which is our Boundary does not yett shew any Disposition to Peace, that can be at all depended upon. But some other Chiefs, on that side of the River, and Especially one of the Name of Langa seems well disposed, and has already been usefull in keeping the other in Check, and I shall endeavour to Improve that Disposition. The other Chief on this Side the River, whose Name Is Congo, has had a Conference with the Commissioners and has shewn the most Friendly Disposition as a Proof of which, He has lately Protected and sent (under an Escort) a poor English Sailor that was Cast away on the Coast of

his Territory, in Safety to Fort Frederick, receiving, and maintaining, him, with much Hospitality, the whole Way. This Chief has, at the same time another motive for this conduct, expecting a hostile attack from the other Caffre Chief, but this dispute we shall not meddle with, except to settle the Business amicably between them if possible, for any Hostilities may draw on disagreeable Consequences.

There is no Doubt but the Idea of the Firmness and Power of Government, and at the same time Its Justice and Moderation have been the Chief means of effecting the present Tranquillity, and above all the First of these, nor was It without great anxiety that I waited for that Great Security to the whole, the long expected Reinforcement to this Garrison not that I ever doubted that your Wisdom would, as It always has done, see the real necessity of an Imposing Military Force, as essential to the ensuring due Respect and Fidelity to Government as well as for many other Reasons, but all Delay, how unavoidable soever produces anxiety on all Matters so Important as this Is, and you will easily believe the Satisfaction which the arrival of the two Regiments gave. It is only to be lamented that such a fatal Sickness Seized them during their Voyage, that they are diminished almost one half, and the Remainder, tho' recovered sufficiently to do Duty, yett not in such a State of Service as could be wished, so that our Reinforcement Is not, in reality, such as was hoped for, and Intended by Government. Too much Care cannot be taken in equipping and sending out Troops to foreign Stations on long Voyages, no Saving can repay the Loss of so many Lives.

I need add nothing to what I wrote in my last Letter concerning Mr. Vermaak I have therefore only to express my Regret, at a Circumstance which has happened, (relative to one of the State Prisoners lately Condemned here for high Treason) without my knowledge. Being Sentenced to Banishment, orders were given for sending Him on Board a Ship going to Botany Bay. It so happened the Captain could not take Him, upon which the Fiscals officer was orderd to send him the next opportunity that offerd. The Officer not aware that It made any difference, sent him, without further orders, on Board a Ship going to England, nor did the Fiscal know It, till some time after. I have sent to St. Helena to Stop Him In Case the Ship should wait there for

Convoy, but I much doubt It will be too late. I have therefore only to say, That the mans name Is Edemann, That he had been a Schoolmaster, and one of the most active and dangerous Incendiaries during the late Troubles, and I am much concern'd at thus making you such a Present. If you think fitt to send Him to Botany Bay from England as he comes under Sentence of Banishment, I see no objection to his being so disposed of, or in any Way that may be thought proper, provided He never returns here, and I have only to remark, that his Case is different from Vermaaks, since he has been tryd and Sentenced here, to Banishment for Life, after having been Publickly Whipped and Declared Infamous, by the Court of Justice.

I come now to the Disagreeable Topick which Indeed I could wish not to renew, having discussd It Sufficiently already but I must express my Concern at finding you think me to blame; my constant wish being to have the Satisfaction of your Opinion In every thing I do; and If I now add any thing to what I have already said, It is from my desire of ultimately succeeding in that wish, and Carrying Conviction to your mind, as strongly as It prevails in mine. For this Purpose, fortunately, I need only advert to the very expressions in your Letter, which at once convey, all that I ever wishd, or meant to Convey, all that I can desire, to sett myself, I hope, right with you; but certain to Vindicate all I have said.

It is then admitted that the Publick Buildings required an ordinary annual repair which would have kept them at least in a Serviceable State more than which Government did not wish during the War. May I entreat you to look back to my Letters, and you will find this to be my very Language. I have said It repeatedly. It is the Truth, and Had this been attended to, Had this Mode of Proceeding been followed, I should have had no Reason to lament the Legacy that was left me of discharging a Debt I had not contracted, or Defraying an Expence I had not Incurrd. But I will appeal to every Servant of Government here, Civil or Military whether this was the Case. So much otherwise that, as I have before Stated, without waiting for the Succeeding Governor, the Servants of Government here were driven from the necessity of the Case, before I arrived, to make Estimates and preparations for doing, what the same necessity, and their unanimous Voice compelld me, upon the fullest Conviction to do,

upon my arrival and all the Indulgence I have ever desired has been to have Credit, first, for Its being an Expence not Incurr'd by me, and next for Its being an Expence to which I was driven by the most urgent necessity. God knows I have reap'd neither Pleasure nor Profit from It, at least the only Pleasure I had, has been in doing my Duty. My Profit has been Vexation and anxiety, and my Reward has been Blame for Speaking the Truth, and I will even Venture to call upon my Predecessor himself to bear Witness to the ruinous State of all the Publick Buildings. May I do more? May I call on you to say, whether you yourself had not receiv'd the fullest Information that such was the pressing nature of the Case that this expence must come to be defray'd by whoever succeeded to this Government, on his arrival. If Indeed The Thing would wait till then, and I have only, I will not say to Complain, but lament, that In such a Situation I was suffer'd to depart without Instructions whether to give way to this pressing Call or not. I believe Government Is not aware of the Nature of all Buildings here, both Publick and Private. The Manner of Building, the Materials, and the Effects of the Climate, make Constant Repairs universally necessary, nor Is there an Individual, that does not either Plaister, Paint, or Whitewash his House, almost every Year. The Publick Buildings were deliver'd to the English in the most perfect order and Repair, and were declared to be the Publick Pledge mortgaged for the Security of the Publick Paper, then Current, to the Mass of which General Craig added a Fifth, Government having the use of those Buildings, and keeping them in Repair. Had this measure been followed, a Tenth Part of the expence would not have been Incurred. Why It was not, and why It was left in the Condition I found It, I wish not to enquire. I most sincerely wish It had not been so. I wish It for the Sake of Government as well as my own, for I am sorry to say, That, to the Great Disgrace of Government the Condition of the Publick Buildings was become a Proverbial Term of Reproach, so that wherever any Building was seen in a State of Disgracefull Ruin, the Remark was, It must belong to the English Government. It had graver Consequences, which I do not wish to dwell upon, Butt it is fitt I should say, That the Inhabitants could not well encrease in their attachment to a Government which, according to their Ideas, shew'd such Indifference as to make It Doubtfull if they sett any Value on the Conquest they had made, or had any

wish to retain It, nor, I am sorry to say, for I must again speak the Truth, was any Conduct, or Language held, which might tend to Correct such Ideas. From this Reproach, From every Idea of the Sort, my Conduct, my Language, and my Measures, have rescued Government for ever, and no one Measure more than the Repairs of the Publick Buildings, so long wanted, but almost Despaired of. I am happy to think that Government will I hope reap no bad Effects from It, I must submitt to take all the Blame as my Recompense.

With regard to what you are Pleased to observe relative to my exercise of the Power vested in me by my Commission and the Instructions I have received, as well as the General Regulations applicable to all Governments abroad, after thanking you which I do sincerely for explaining to me the Ideas of Government on these Points as well as for acquainting me of the Constant usage of referring to the Chief Engineer & transmitting their Report to Government on all Buildings Erected or making any extensive alterations in the Publick Works, I beg leave to assure you I shall not fail to Observe Carefully your Instructions on this Head, at present I know of no such Works being at all in Contemplation nor any Works at all other than the Repairs of Publick Buildings already so fully discussed, nor do I know of any Issues of Publick Money having been made out of the Colonial Revenue, but for that Purpose and so It will appear by the Warrants sent home for monies Issued out of the Colonial Revenue.

With regard to the advance made to Brigadier General Fraser for the Time He acted as Lt. Governor, I beg Leave to assure you, That I did not Conceive this to depend on my Favor, or Good Will, or even on his Personal Merits, I never did think of acting on any such Principle, even if I had the Power, but It was stated to me and I confess I did Conceive him to be strictly entitled to It in his Situation, and all I did was to restrain & limit the extent of the Claim strictly to the Time he officiated, & suffer It to extend no further.

With regard to the Office of Under Secretary of State, It is the first Time I ever heard of Its being abolished. I was told on my arrival It had been held by two Persons, and was, I think then held by one, who wished to resign It. I have since enquired of the Secretary of the Colony who utterly Denys It ever having been understood in any other Light than Its being Vacant. It is

in his Department, and the Vacancy would have been filled up by Him had any Person occurred to him, and had not Civility induced Him to leave It to be filled by the Succeeding Governor, and so reported It to me.

I have since questioned Him again and ask'd whether, if there was no order, there was not at least some verbal Intimation, or minute, or other Thing, left by Lord Macartney, by which It was understood the office was abolished, and I am most positively assured, there never was any such thing. On the Contrary, the Secretary Conceives He might himself have filled up the office, If he had not preferrd taking the Governors Recommendation. It is Impossible for me to add a Single Remark upon this Subject.

I next come to my Project of the Formation of a Botanical Garden, and after admiring the Industry and Ingenuity with which these Matters have all been represented to Government and the friendly manner in which they have been Communicated, I suppose by way of Encouragement to me in the administration of a very arduous Government, I will beg Leave to ask if Government Is really persuaded, That a Botanical Garden at the Cape, Is really a Project of mine? If Recourse Is but had to the Oldest writers and Travels, It will be found, that as far back as the year 1695 there was the finest Botanical Garden in the World here, and the Catalogue of Plants in the Garden, as Publishd in that year, contained as valuable a Collection as ever was made. It is therefore no modern Project. It is very true, that ever since the Conquest of the Place by the English, This, which was very much on the Decline, has gone to Ruin and Decay, like everything Else, and, It is equally true, That my Wish has been to restore It in some degree, to make It of some use, and in Particular to make It afford a Valuable addition in time to His Majesty's Garden at Kew. With this View I did apply before my departure to the Court of Directors of the E. I. Company for their Countenance and assistance from their Presidencies in India and Elsewhere, and they, with a Liberality of Sentiment, and a Love of Science, which does them Honor, sent such General Circular Orders to all their Settlements, as have Produced me very Considerable Assistance Indeed, and I will add, That I also submitted to His Majesty through the Secretary at War, Permission to Continue my Superintendence of the Botanical Garden at St. Vincents, in order to

direct a mutual Supply to each Garden which His Majesty was pleased to approve of.

Having thus stated which I am glad to do, the whole extent of this Project of mine I come now to the Impropriety Imputed to me Inconsistent with the Responsibility of my Situation, of creating, by means of this Project, (exactly as in the Case of the Under Secretary) new Civil Offices, and of embarking in enterprizes, by this means, of considerable expense, in the Shape of new Works and new Establishments. To all this I have only to answer, That I learnt from Lord Macartney and I found, on my arrival, that there was an Old Establishment for the Botanical Garden of 500 R.D. p annum payable by the Civil Paymaster. To this Establishment I have not added either a Single Person or a Shilling expence to the Publick. I found also, in the Garden, a Hot House, one half of It fallen down, and the Conduits which waterd that Part of the Garden, choked & fallen in. I have repaired the Conduits, converting the two Conduits and about 20 small Reservoirs, which were supplied by them, into one Conduit and two Reservoirs. The fallen Hot house I have not rebuilt. It is true that, besides the Established Salary of 500 R.D. I have added to the Gardeners I brought out, about 800 R.D. p an^m out of my own Pocket, which I never had any Idea of charging the Publick with, and I Promise you I shall never ask Leave to do It, and I feel equally resolved, not to make a Single Remark on this Subject.

As to accounts, I cannot Conceive why they have not been received. Every Warrant, every account, every Paper, and Document that ever was sent, I have been carefull to order to be prepared, and transmitted, and to them I have also appealed.

I am glad the Proclamation of the 3rd February is approved of by His Majesty, But, I own I should have felt more Satisfied if even this approbation had not been coupled with a Sort of distant Insinuation that I was Incautiously laying new Taxes on the Colony. I know of none which the Terms of the Capitulation do not warrant. I know of none but what Partake rather of the Nature of Regulations, than of Impositions. I know of none that the Colony complains of, on the Contrary, It is with Pride that I can assert, That the General Voice of the Colony contradicts the Idea, and were I weak enough to be disposed to be Vain, I

should be tempted almost to Indulge the Pleasing Reflexion, that whatever my Conduct may appear to be Elsewhere the Colonists whom I govern Declare That more Good Has been done to the Colony, in this Year than had been done for six years before. That they regard me rather as their Father, than their Governor, and that they shall ever remember with Gratitude my being sent here, with many other such expressions, which I should betray too much Vanity to Repeat further, But which I shall ever remember, and feel as an ample Reward for any Labours of mine, and as the most honorable Testimony in favor of one, who was a Stranger to them, as they were Strangers to me, and as the Result of their Feelings, rather than any personal Partiality. Certainly I hope at least this will rescue me from any Idea of Incautiously oppressing the Colony with Injudicious Taxes & Impositions, and much less, as having the Effect supposed, on the Industry and Minds of the People. For the rest, a very mean opinion indeed must be entertained of my Ideas of Finance which I trust are as Sound as those of any other, from my long Habit of studying them, If I can be supposed to be so weak, as to overcharge the Country with new Taxes to such a Degree, as to affect the Produce of the existing ones, a Degree of Folly, which I hope I want no advice to warn me against, as I think I shall hardly be guilty of, without any Publick necessity at all, and such a Thing as necessity Itself, I think, would even urge in Vain. This Country Is, happily very little Burthend with Taxes. Long may It remain so! It will be my Duty and shall be my Care, that it may remain so. But yett the Revenues may be much Improved by Regulations without any Great Burthens laid on the People, and surely If they can be brought nearly to defray the Civil and Military Expences of Government, (which, by the Way, the Terms of Capitulation expressly Stipulate) It will be a desirerable Thing to ease Government at home, heavy as the Publick Expenses are there, as well as the Publick Taxes.

I shall be very Sorry indeed, for the Sake of the Soldiery if a Barrack Office Is not admissible here. Beyond that object, It is nothing to me. But it will be unlucky indeed, should the arrangement of It prove not consistent with His Majesty's Regulations on that Head, as you seem to apprehend. First, Because having myself been the Person who originally proposed those Regulations, there was, I thought, some chance of my

knowing what they were, next, Because happening to have brought those Regulations out with me They were expressly adopted, in Forms, in the arrangement of the office here, and next, Because the whole was Declared to be Subordinate to the Barrack Master General in England, in addition to which, Directions were given for an application to be made to Him for further Instructions, and to desire to be furnished with whatever further new Regulations had been adopted at Home, and I wrote myself to the Secretary at War and to the Barrack Master General, for Copies of all the Existing Barrack Regulations that they might be adopted, and strictly observed here, and I also desired that Instructions might from time to time be sent out from the Barrack Office at home for the Guidance of this Office, which was made entirely subject to the authority of that at Home. If after all this, It should prove that the arrangement Is not Conformable to the Regulations on that Head at Home, I humbly hope It will not appear to have been my Wish or Inclination that It should be so, nor my Fault if It is not so. To all which I beg Leave to add, That from the Moment of Its Establishment, I had nothing more to do with It. Both in the manner of the Equipment and Supply of It, the Barrack Office Rules, & General Dundas orders, have Govern'd every thing. Conceiving it to be closely connected with the Military Service, He assumed the Direction of the whole, and has alone directed all that has been done, and the Barrack Master applies and Is governed by his orders alone. I now know no more what is done, than you do. The Barrack Master Generally Informs me of the orders he receives, but that is all. Those orders he obeys, and those alone, and I understand General Dundas is very well satisfied with Him, & that He does the Duty well.

This topick however leads me to the subject of the expences of the army in General. They are very great, and encreasing. I have no Controll over them, no Power, no Knowledge of them previous to their being Incurred, without which all check Is in Vain. Besides which, the General commanding the Troops, expects what He adopts for the Military Service to be done, He being the proper Judge, as he certainly Is. I am not to advise Government, whose wisdom can best direct what is best, But If I might submit my Ideas, I should think, that It would not be amiss, If the Same Rule might be observed, as at Home, namely That the Commander of the Forces draw out a Sketch of the

Military Force, That then an Estimate be formed of the Extraordinary Expences probably to arise from such a State of the Army, the ordinary Pay, and other fixed charges, being of course known at home. And then that these Statements being given in to the Governor should be sent home for approbation, and to govern the Ensuing Year, The Sum total not to be exceeded, without Special Cause assigned of urgent pressing necessity, and so explained at the Time. This is what occurs to me, But the wisdom of Government Is best able to Judge, and to direct, what is best to be done. I can only say that at present I cannot gett any sufficient account of the Military Expences even after they are Incurred, & have been trying in vain, ever since my arrival to gett from the Commissary General and other officers, some sort of account of the Expenses of the Caffre War, and Fort Frederick, but I cannot succeed. All I know Is That the Expences are very heavy and not yett all Paid, but being all of a Military nature I suppose the accounts go Home, either from the Paymasters or Commissarys Office: Those accounts never come to me.

The Expenses of Fort Frederick have been very Considerable and the Expences of Victualling the Garrison Improvidently expensive the whole Supply having been furnished, either from hence, or by an Expensive Journey of 200 miles from Graaffe Reinett. This Inconvenience I have endeavoured to remedy, partly by sending some of the Supplys by Sea In which Service the Vessell hired by Government has been very usefull, having been three Times to Algoa Bay in the Course of the year, with Flour, Military Stores and necessaries, and bringing back, Timber &c., and I hope to make still greater Use of this Mode of Conveyance. I shall also be Particularly attentive to the Object you have recommended, of bringing by this means Timber and Fuel to the Cape. This Object has indeed already occupied my attention, and I am very happy to perceive my Ideas Sanctioned by yours. But for this Purpose I have found It necessary to settle some new Regulations for the Management of the Woodlands at Algoa Bay, and elsewhere and finding that under the Old Government certain Permanent Commissaries were appointed, under fixed Regulations, to Superintend all the Woods of the Colony, I Propose to appoint Mr. Somerville to be Commissary of the Woodlands at Algoa Bay and all the other Woodlands in the District of Graaffe Reinett, and two others for the Districts of

Swellendam and Stellenbosch, under these Regulations, I hope to be able to accomplish the Object you recommend of supplying Cape Town with Fuel, and Timber, at reasonable Rates, under the Single Restriction of Its being sold subject to the Vendue Duty, which I hope will be an Improvement to the Revenue, without any Inconvenience.

But, Sir, the Wise Measure you have adopted in sending out Mr. Duckitt, will enable me to relieve the Expenses of the Garrison at Fort Frederick with Infinitely more Effect than could otherwise possibly have been done, For I Have availed myself of It, and settled with Mr. Duckitt to send down Mr. Eyles, one of his Principal Men, to Algoa Bay, there to occupy a Convenient Tract of Land near Fort Frederick and thereby raising Cattle, Corn, and every other Agricultural Produce, within a few Miles of the Fort, Instead of the Expensive, Precarious, and Circuitous, Mode of Supply hitherto Practised, a Practice which at first I wondered at, but found any attempt at anything of the Sort here Suggested even if thought of by the Garrison had been expressly Forbidden, For what Reason I know not. I hope myself the best Effects from the Measures, nor do I despair of Obtaining by this means, in time, something more than a Supply of Fuel from Algoa Bay.

But Sir, this is not the only, nor the best Effect by a great Deal of the Wisdom of the Measure of sending out Mr. Duckitt, and I now think It my duty to enter into the Detail of an occurrence In which the opportune arrival of Mr. Duckitt has proved of Infinite advantage to Government.

The army had been for some time back supplied with meat by Contract under the Direction of the Commissary General. The Contract which existed, on my arrival, had existed a year and was to run on to the first of this Month. Towards the Close of the Year, the Commissary, as usual, gave Publick notice to receive Proposals for the ensuing year. The Present Contractors were the only Bidders, and they pretended they could no longer Furnish Government at the existing Price for various reasons, and demanded an encrease of Price. The Commissary, not thinking this reasonable called another Meeting, at which no Bidders appeared at all, and It then plainly appeared the Contractors had formed a Combination to bring Government to unreasonable Terms, on this the Commissary and the Fiscal applied to me, and It was suggested

That the Commissary should Publish a Notice to receive Written Tenders, sealed up. This seemed very proper, But the Combination was too Strong, and this measure had no effect, so that It was feared Government might be obliged to the enormous Expense of 6*d.* per lb. In the mean time the Burgher Senate Publishd the Price of Meat to the Inhabitants at large fixed at 2½, upon this I sent for the Commissary and urged Him to attempt to gett Government served at that Price, thinking It Impossible but that Government might be served on the Same Terms at least, as other People. But this the Commissary declared to be Impossible, That Government always Paid more because of the Extent and Consequent risk, of the Contract. Still no offers came. The Situation of Government grew more and more Critical, and our Anxiety of Course Great.

At this Moment, Mr. Duckitt came up express from Simons Town, Said he had seen the Publick notice and heard of the Distress of Government, That it was his Duty, and that he had promised Government when he came out, to be the Instrument of Supply to the army at a reasonable rate, That the Conjuncture came more suddenly upon Him than he expected, But that It was such, He was determined to Step forward and prevent this Combination, and was ready to take the Contract at the Price fixed by the Burgher Senate for the Current Year, Demanding only to hold It, as the others had, for two years, and that if, in the Second year, the Price of Meat grew Cheaper, He would serve Government cheaper in Proportion, and always would Contract to serve Government on the same Terms, as should be fixed by the Burgher Senate for the Inhabitants, requesting only that the Government Lands called the Butchers Lands, formerly held by those who served Government, might be granted Him at the usual Rent, to enable Him to keep Stock sufficient for his Contract. These Terms seemed so Satisfactory that with the advice of the Fiscal I directed & authorised the Commissary to agree with Mr. Duckitt, and a contract was signed with Him accordingly.

Thus a mischievous and Powerfull Combination has been broken, and Government saved from an Encrease of Expense in this Branch of the Publick Service, to the amount, I believe of near 100,000 R.D. nor Can there be a Stronger Proof of the Wisdom and happy Effects, already, of sending Mr. Duckitt out. To which I have the Pleasure to add, That his zeal, His Skill, His Activity, joined to his Probity, has already gained Him a

General Good Character, and, I have reason to think, will soon produce very Extensive Effects Indeed.

I shall not fail to give him all the Support in my Power, that He can desire, and I have no Doubt of his repaying, by his Exertions, whatever Expense his Equipment may occasion, to the full extent of It, and that in more Ways than one a Circumstance which I flatter myself will give you as much Satisfaction as It does me, because the Good Consequences will have their Origin in the Wisdom of a Measure Chiefly plann'd and Countenanced by you, and you will allow me to say, that this will be an additional Inducement to me to give It all possible assistance. Mr. Duckitt, however will want more assistance of artificers, Labourers and Hands of all Sorts from home more especially in Proportion as He extends further his Operations, in which his Object will be, to secure to Government abundant and Certain Supplys of all the Produce this fertile Land can yield. He is already Planning extensive Channells of Supplying Live Stock to Government never attempted before, while the Establishment of Mr. Eyles at Algoa Bay, will not only relieve the Garrison there, but Cooperate with the General Plan, to the great advantage of Government.

I think I have now gone through nearly the whole of the Topicks Contained in your Dispatch. There is but one Point more and then I shall Conclude this tedious Dispatch. I allude to the Caution given me relative to the Exercise of the Power of Banishment or sending Persons out of the Colony, That I am bold to say, Government will never have reason to say I have exercised this Power without Strong reason, I have exercised It only on two Persons, who Publickly, and Professionally, deny'd the Legality of the very Proclamation which has had the Good Fortune of receiving His Majestys entire approbation and who existed on avowed Disobedience to It and another, a Dutchman, who had been for some time past exciting a Spirit of Revolt against the legal Power of the Landrost of Stellenbosch and with so much effect that the Secretary was forced to go down with an Extraordinary Comission to Enforce Obedience to the Laws. This man Is sent to Holland, and I can only say, That the bare Removal of these People to their own Country Is rather an act of Lenity than otherwise.

This Power of Removal Is indeed more necessary here than any

where, For here are to be found People of all Sorts, Principles, Nations, and Colours, prone to Mischief, and always Caballing, no regard to legal Penalties alarms them, the knowledge alone of a Power which can putt an end to their Cabals can restrain them and It is therefore a Power essential to the very Safety of Government, over Natives & Subjects, as well as foreigners. It is a Power, which has been found necessary even at home, as to aliens, and must be at all times necessary here. As to my exercise of It here, I could be Content to be try'd here where my acts of Power, if any, must be felt, whether any Evidence of my Disposition and Character, or any Proceedings of mine, has produced a Dread of the Use which may be made of It, in my Hands. I should wish the Colonists to be my Jury, who must be the Victims of my Exercise of this Power. I flatter myself their Verdict would be, that I govern them with a Power far greater than this, with the Power their Hearts voluntarily give me, and by which I reign over them far more Effectually than by any Severity whatever, whilst, in the mean time, I make It fully understood, that the Benevolent Character of His Majesty is my Rule and Guide, and I only obey his Mild and Gracious Commands.

I will now Conclude with assuring you, that happy in having, in this Noble Possession of the Crown, nothing external to alarm us here, even amidst the Rage of War Elsewhere, my attention has been constantly called to matters of an Internal Nature, and a Constant Call It is, every thing here resting on my unremitting Vigilance and Care. In this, I may say have been occupied, Daily and hourly, ever since my arrival, not a Day passes, but I am thus engaged from Seven in the morning till near Two, without even stirring from my Desk, and If while I am Intent on Promoting the Welfare & Happiness of the People, and giving them reason to Bless the Hour when they came under His Majestys gracious Government, which, Thank my God! I have succeeded in, to my wish, I am unawares entangled in Forms of Office, and Etiquette, and Departments, which I never dreamt of, I hope at least I shall be forgiven such venial offences and errors of Judgement. I highly approve of the Strict Vigilance of Government over the Servants of the Crown especially in Distant Dominions. I thank Government for the Exercise of Its Vigilance over me. It is right, I may have erred, I can only say, First, That having had occasion Officially to transmit the Commands of Government

concerning Money Matters, I can have no Objection to any Sort of Restrictions in that Respect. I only wish that Government would not too easily listen to Suggestions of what I am supposed to have done, because that must occasion a gréat deal of trouble to Government Itself, besides what It occasions to whoever serves them.

Next, That I beg again to appeal to the accounts themselves to shew, what Projects I have formed, what new expenses I have engaged in, what undertakings I have embarked in or what extensive, as well as expensive alterations I have embarked in, and there I will leave the subject, all together, which It has tired me to dwell so long upon.

I must, however, mention one Topick connected with the Regulation of the Wine Licenses the Revenue of which I mentioned in my last to have encreased to the amount of 24000 R. D. clear. I also mentioned the occurrence which gave Rise to It to have been Mr. Kembles Death, since that, The Case of his Widow left quite Destitute here has been so strongly represented to me by the Admiral, that I have yielded to the Petition presented on her Behalf, to allow her a Pension, equal to her late husbands in England, subject to the approval of Government and chargeable on the Wine Licence Revenue here. If Government does not think this right, the Pension will Cease. She is now on her Passage to England to Submitt her Case, and I dont know a more Compassionate one, to Government.

I have now other Topicks to Submitt to the Consideration of Government, For though amidst the Cares with which Government Is surrounded, It may not be possible that much of Its attention can be allotted to this Distant Colony, yett conceiving It as I do to be of such Value as It is, I feel It my Duty to state what comes to my knowledge, leaving It to higher Judgements to determine what should be done.

This Colony, In Its present State of It, Is in Its Extent equal to all Italy, Including all Lombardy, and Piemont, as far as Savoy, being about 240000 Square Miles. Not one Tenth Part of It is Cultivated, yett much the greater Part Is Capable of It.

Government, similar to all the East Is the great Land Proprietor of the whole But very extensive Grants have been made of many Parts of It. These Grants are Chiefly of the Sort called Loans, held from year to year, at a trifling Quit Rent of £5 per

Loan, but they are transferd & assigned by the Grantees from time to time occasionally & Government has generally Confirmed the Transfer on the Same Terms. But these Loans are all resumeable into the Hands of Government and subject to any Conditions & Regulations which Government may think proper. These Loans are on an average about 4 miles square, at the Least, tho not square in their Form, besides which each Grantee claims an *Outspan* or exclusive right of Common, of as much more, so that the whole Is about 8 Miles Square, but this tract of Loan Land Is very little Cultivated, and the *Outspan* never, according to the best accounts I can gett, there are about 3500 of these Grants, and I am sorry to add near 40,000 R. D. now due arrears of Quit rents upon them. Several Individuals have more Grants than one, thus grasping a vast Territory. Two Principal Discouragements besides the Want of Hands operate against all Cultivation, The one the Precariousness of the Tenure, however the Possession may be, being only from year to year, The other the Law of Succession, which Is that on the Death of each Possessor, the whole Property Is sold by Auction to the best Bidder, the Land alienated, and the Produce divided among all the Family. It is true, that usage has generally allowed the Family Itself to be Purchasers, but the Purchase Money, to be even then paid, has not been less than 100,000 R.D. sometimes, a Cruel Tax on the Successor, and a Cruel Bar to all Improvement & Industry, and I am Convinced one great Cause of the Indolence of the Possessors, & the Slow Progress of Cultivation. Besides these Grants there are extensive Tracts never Granted at all, and remaining in the Hands of Government, among these are the Great *Karoo* Plains, which are said to be Desert, but are by no means Barren, But the Chief Is the fine Plain near Cape Town, about 25 miles Square, reaching from Sea to Sea and from the Stellenbosch & Hottentot Hollands Mountains to the Great Ridge Southward of which Table Hill Is the Extremity northward. This fine Plain, apparently Sandy & Sterile, but really possessing unexampled Fertility Is at this very moment, eagerly sought after, Its Value being now known, and I am Daily pressd for Grants to Individuals who wish to Cultivate there. I know of no Policy against It, on the Contrary, the Cultivation of such a Tract so near Cape Town seems very desirable. But I wait for Directions and It seems adviseable for Government to Consider well on what Plan such Grants should be

made, The Extent of each Grant, The Tenure, the Rent and Terms. It is not for me to Dictate what these should be. Difficulties will arise in the Execution of any Plan. Dormant Claims may be sett up, ancient Customs may be pleaded. The Matter requires much Consideration, But generally speaking If I might submitt my Sentiments, I think so near Cape Town the Grants if any should not be too extensive, besides that Cultivation makes greater Progress on smaller Tracts than larger. As to Tenure, It is difficult to say, what is best. It has occur'd to me, That a Grant of 21 years certain renewable every 7 years at a (illegible) of one years Value on the average of the preceding 7, would encourage many to take Grants, more especially if under these Conditions, the Succession were allowed to be hereditary, or disposeable by the Possessor among his family at Pleasure. I think many would relish this. But this is only an Idea. A Survey should first precede each Grant, and the Extent be limited, with also an obligation to Cultivate. Still this will be a work of some Difficulty, as well as a Work of Time. Perhaps, even a Peace should precede any such Plan, But Grants of Land are, even now, so pressed for and the Inhabitants are even now, (& especially since Mr. Duckitt's arrival) throbbing as It were to get Lands, that I have thought It expedient to throw the whole under the Eye of Government for Its Consideration.

There are other objects well worth Consideration such as Communication by Sea with the Distant Parts of the Colony, the Coasts & Bays of which are found to be more in number on each Side and more Convenient than has been supposed, and will prove a great Convenience. To which may be added the Fisheries, and the Mineral Kingdom, well worth Investigation. But one Great Object, which, though there is as yett no Official Communication of It, I understand has already been thought worthy the Attention of Government, I mean the Wines of this Colony. If our Intelligence Is true, The Import Duty on Cape Wines Is now fixed at the Same as Portugal Wines, and Cape Brandies the same as West India Spirits. If this be so, Nothing can be Desired more, and In this Hope I have been directing regulations to be thought of, to Secure the Credit of this Produce as to Its Quality, and to prevent abuses which might bring It into Disrepute. We now wait only to hear of the measure from authority & to know what It is. If It facilitates a Market for this Produce It will be

of Great advantage to the Colony, and prove of great Benefit also to the Mother Country, as I am indeed Convinced this Colony will in time prove, in many other Respects, If It ultimately remains in the Hands of the Crown, as I most earnestly hope, and trust, It will for ever.

These Matters I have submitted thus to Government thinking them worth Consideration, and you may be assured that, in every thing which appears to me for the advantage of His Majesty, and the Good of this Colony, whose Welfare and Happiness, I think It my Duty to Promote, nothing shall escape my Vigilance and Care.

I have &c.

(Signed) GEO. YONGE.

[Original.]

Letter from SIR GEORGE YONGE *to the* RIGHT HONOURABLE
HENRY DUNDAS.

Secret.

CAPE TOWN, *Jany.* 6, 1801.

I had the Honor in my Dispatches by Capt. Tucker to mention my having detained a Person of the name of Prediger, pretending to go as a neutral Passenger to Batavia.

I have since found It expedient to Seize His Papers, and Ultimately to send him to England, to be disposed of as Government shall think proper. I have also thought it proper to send all the Papers, both private and other Correspondence, of which Some Is in Cypher, as the one Part throws Light on the rest, and I enclose an Abstract of the Substance of the Information obtained concerning him, and of what the Letters and other Papers announce, most of which were found Concealed with great Care, in Parts of their Baggage not likely to be seen, to which abstract and to the Papers themselves I beg Leave to refer. I have &c.

(Signed) GEO. YONGE.

[The Enclosures, excepting a long letter in cypher, are not now to be found.]

[Original.]

Letter from MR. WILLIAM DUCKITT *to* WILLIAM
HUSKISSON, ESQRE.

GARDEN HOUSE, SIMONS TOWN,
CAPE OF GOOD HOPE, *January 6th 1801.*

SIR,--By permission of His Excellency the Governor I enclose a list of such Articles which I consider will Necessarily be wanting in the Agricultural Department by the time they can be procured, and arrive at this Settlement.

And I shall Esteem it a Particular favor you wou'd have the Goodness to forward them by the first Opportunity.

Since I wrote last I have seen about forty Miles of Country Each way from Cape Town, and I have great Pleasure to assure you the Quality of the Soil far exceeds my Expectation, from the Account I heard of the Colony in England, I did not expect to find any fit for Cultivation within the Distance of Two or three Hundred Miles of the Town, But to my agreeable Surprise I have already seen not more than One Days Journey immense Tracts of land, Capable of Producing every Necessary Article, and wherever I have seen any Attempt to Cultivate however imperfectly Executed, the Crops had a good Appearance, In some Situations the South East winds are Certainly very injurious, and where thus exposed the Crops require to be Cutt early. Wheat and Barley is the Principle Grain I have seen Cultivated, But from the Appearance of the Soil I shall try all other Grain on a *small scale* by way of Experiment to ascertain what may be done without great risque.

By permission of His Excellency I shall take Possession of a Government place known by the name of Clapmutz on the first Day of March Next, when the present Post Holder quits, its Distance from Cape Town is Computed about 25 Miles, from the Paarl 8, and from Stellenbosch 5, And it is Capable of very Great Improvement having a good Soil for Grass, and Corn, and to a Considerable Extent, and it is well Watered, Nature has hitherto done every thing, *robbing* the Soil is the General Practice, when one piece of land is impoverished, another is broken up, Manuring the Land is considered too Expensive, and Consequently little Attention is paid to Accumulate the most *Necessary* Article, One great

Misfortune is that the Government lands have been lett annually which is the Greatest Check to Improvement possible, But I really have reason to say the People are much more Anxious to improve than I expected, and Several have Acknowledged they do not want Willingness *only* Instruction, Every Person that have seen my Ploughs Work Acknowledge that 4 Oxen is Sufficient in the Ploughing Season, at the time rain commences, the Common Custom now is to use 10, 12, and 14, all that have seen them have requested a Supply, and which I Certainly shall have great Pleasure in furnishing as soon as Possible, if half the Strength can be reduced it will be a very great Saving, and in this Expectation I am very Sanguine. The Harrow Pins are Wood instead of Iron and Altogether Clumsy, and unfit to Pulverize the Soil, In short every thing is to begin, Except *making Wine* which they know *something* about but even that I think is Capable of Wonderfull Improvement. The only great Want here is *Hands* And I hope and Trust Sir you will use your influence to get as many sent out of all *Descriptions* as are willing to engage on the same Terms as those I have under my care. The Wages of a Common Slave is a Dollar Per Day & board and I think one of my Men is worth three who I am Happy to say are Well. I have not heard any one Complain the heat was beyond what they could bear altho' they have Constantly been Employed in it, I have no Doubt but many would Venture, And I am Confident my Father and Brothers would Exert themselves to procure good hands if you would have the Goodness to Authorize them, and also Lieutenant Watney of the 8th Light Dragoons who is Acquainted with the Want of Mechanics and Husbandmen.

Mr. Iles who came out as my Assistant is going by Order of His Excellency the Governor to take the Direction of the Lands in the Interior near Algoa Bay, where I trust he will be found of Essential Service, His Excellency have Assisted him with every thing he could spare from his Stock and I have added all I cou'd Possibly Spare from mine. And by this time Next Year by our United Exertions I hope to give you a good Account of our Progress.

I shall not be Able to say what seeds I shall want till another Season, being Compleatly too late for this, But it has enabled me to look round the Country & therefore I flatter Myself it is better than tho' I had Started the Moment I landed, for Beginning right is the Grand Object in a New Undertaking.

It affords me great pleasure to say there is nearly 1000 Spanish Sheep Dispersed about in the Colony, and that the Wool does not Degenerate as was imagined it wou'd do. I will procure some and send you for Inspection. I still wish Sir to Possess a few of the Ryeland and South Down Breed, if it were only *a Ram & Ewe of Each Sort* it wou'd be of great Service to the Colony, and *Two good Cart Stallions*, I think then the Colony wou'd in a few years Possess some good Stock. Here are some Spirited Breeders that dont mind giving 1200 Dollars for a Horse, 900 for a Cow, and 325 for a Bull Calf of an Improved Breed, Therefore Sir this is an Encouragement to send out Stock, none is more wanting than *Draught Horses*, which wou'd in a great Measure be the Means of given the Inhabitants Fatt Beef instead of lean, for here are no Horses fitt for Labour, Consequently the Oxen when they are Past Labour and Poor, it is the General Practice of Slaughtering them, whereas one fatt Ox wou'd Equal three of them in Weight. This System must be totally changed and I trust with the Assistance of His Excellency Who is Indefatigable in his Attention to the General Improvement of the Colony to Accomplish it, and in a short Space of time.

I have to inform you that from the Appearance of a Monopoly Existing among the Slaughterers in Cape Town who refused to Supply Government on the same Terms as the Inhabitants were, And which I was apprized cou'd be done, I thought it my Duty to step forward to prevent such an Imposition, by taking it upon Myself and I have no Doubt but Government will be Essentially Benefited, having met with Able Men to assist in Executing the Contract, the Particulars of which His Excellency will more fully Explain, being made Acquainted with the Whole Business.

I beg my Dutifull respects to Mr. Dundas and best wishes to Mr. Chapman, who I hope with yourself are well, and am Sir &c.

(Signed) WILLIAM DUCKITT.

P.S. I again take the Liberty of entreating you for a Supply of Hands, &c., &c., &c.

[Original.]

Private Letter from SIR GEORGE YONGE *to the* RIGHT
HONOURABLE HENRY DUNDAS.

CAPE TOWN, *Jany.* 8, 1801.

SIR,—I have occasionally troubled you on the Subject of the Missionaries, and what seemed to me to be their Views under Colour of Sanctity and Religion. I have now to acquaint you, that they have lately made two attempts to be chosen Permanent Ministers of two Different Parishes, which I have stopped, conceiving this to be truly a Stretch beyond what ought to be allowed on this occasion also M. Serrurier, the Head of the Dutch Established Church has had some Conversation with me and has expressed his Uneasiness at this attempt to go beyond what He thinks the true Line and Object of their avowed Mission. The Misfortune Is that there are now three Vacancies in the Established Church in different Parts of the Colony, and M. Serrurier has expressed his anxious Desire, That Government would send out at least two Ministers of the Dutch Communion to fill the Vacancies, and I cannot help thinking this of serious Consequence, and I hope It will not be difficult to Procure such. I have already represented the great want of Schoolmasters and Clergy of our Church if such can be sent, It will be of great Service.

I think I before mentioned that one of the Missionaries who is gone over to Guyka and Confederated with the fugitive Rebels De Buys & Prinslo has had the Boldness to propose privately to the Fiscal a Treaty with Guyka, without the knowledge of the Commissioners, the Terms of which had a tendency to engage us in a War, in support of Guyka with some of his Enemies, as he called them, and this as, the Missionary professes, from a Love of Peace *though Politicks are not within his Sphere.* The Fiscal brought me the Proposals, which I have sent to the Commissioners, and I have only to add that the Missionarys name Is Van der Kemp, and that He is still in Guyka's Country, living with those Rebels, not converting many to the Faith.

A supply of regular Established Clergy would do far more Good than these Sectaries, and It is for this Reason as well as in Compliance with M. Serruriers earnest Request, that I am anxious for such a Supply, if possible. I have &c.

(Signed) GEO. YONGE.

[Original.]

Disposition of the Ships and Vessels under the Command of
Vice Admiral Sir Roger Curtis &c.

<i>Lancaster</i>	}	In Table Bay.
<i>Jupiter</i>		
<i>Rattlesnake</i>		
<i>Diomedé</i>	}	Cruizing off Rio da Plata.
<i>Tremendous</i>		
<i>Star</i>		
<i>Adamant</i>		In Table Bay refitting.
<i>Euphrosyne Brig</i>		In Table Bay.

8th January 1801.

(Signed) ROGER CURTIS.

[Original.]

Letter from SIR GEORGE YONGE *to the* RIGHT HONOURABLE
HENRY DUNDAS.

CAPE TOWN, 10 Jany. 1801.

SIR,—I am honored with your letter of the 28th of July directing certain Accounts to be prepared and transmitted to the Commissioners for Auditing Public Accounts.

I have given Directions for their being prepared accordingly, and they shall be transmitted as ordered as far as the same can be made up, But from the Knowledge I have of the Subject, as well as from all the Information I can obtain, I have some Doubts how far an accurate State of the Specie can be obtained, or how some of the other Accounts can be.

I scarcely need mention to you that all the Specie in this Colony consists in foreign Coin, Viz. Spanish Dollars, Pagodas, Rupees, and some Dutch Florins. Lately you know Copper small money has been sent from England, which is issued to the Troops, but does not yet get much into circulation being hoarded, like all the rest of the Specie, except what is so much diminished and depreciated, as to be reduced greatly below its Denomination, & this debased Specie is almost all that remains for circulation, The rest

being all hoarded, or clandestinely exported, by every Ship that comes here, in Defiance of the Laws. The general currency is supplied by Colonial Paper which is also so bad, as to be much depreciated & daily loses its Value, besides being counterfeited.

Formerly there was no Paper Currency, but the whole Circulation was Specie, which occasioned much to remain, & I am of Opinion that the paying the Troops in money is the chief thing that now keeps the little Specie there is in the Colony, so true it is that a Demand for any Article will always produce it, & is the surest means of retaining it.

When the Dutch Government became in Debt, partly from the necessity of the Case, & partly from Views of Profit & Revenue, They began the use of Paper Currency. From that moment the demand for Specie being lessen'd it fled from the Colony to answer a Traffick more lucrative than circulation, & supply the Demands of other Countries.

This was also partly occasioned by the current Denomination of the Specie being lower than Its real value, The very Reverse of what prevails in Europe, & indeed of what should prevail, If it is to be wished that Specie should remain in the Country, And while this is the Case, Experience shews that no Laws can prevent Specie being smuggled out of the Country.

This is too much the Case at present for though the Spanish Dollar is circulated by Law at $5/6$ currency, yet it is really worth $6/6$ that being the Market price for Exportation, even with all the Risque of confiscation, if discovered. Current Specie therefore should have a denomination by Law on circulation at least equal to its intrinsick value or the market price, otherwise it will never remain in the Country.

This occurred to me soon after my arrival, & I mentioned it to Mr. Ross just before he went to England, who admitted the denomination ought to be higher, & was disposed to follow any Directions on the Subject, I thought necessary, but I was unwilling, having no Instructions to touch so soon on such a delicate subject, & I have chosen to take this Opportunity to submit my Sentiments thus far, It naturally arising out of the Contents of your letter, & I beg leave to refer at the same time to the Information which may be had from the Intelligence & Abilities of Mr. Ross, whose return I at the same time anxiously look for, as most usefull to Government, both in this & every other Respect.

This Principle however, of making the denomination, of the current Coin, at least equal to its intrinsic value, I acted upon with success, upon receiving the Copper money. At first the Inhabitants represented, that it was too much to make a Copper Penny pass current for two Stivers or Pence, But I proved to their Satisfaction that it was also too much to get the Copper money for less than its intrinsic Value, & that the Quantity of Copper really contained in a Penny (as then imported) was worth at Market intrinsically the denomination I put upon it of two pence. It was examined, the truth of it was proved & admitted & the denomination given is two pence currency for each penny. Mr. Ross had some doubts at first, that this might be too high, but he was soon convinced & my only Doubt was & still is whether the Value intrinsically may not prove still higher than the denomination given to it. But for the present I did not think fit to go further, yet from its being so little in circulation I am inclined to suspect some profit is yet derived from applying it to some other uses, more lucrative than what is derived from its Value in circulation. I wish this may prove otherwise, & that it is only want of time for the present occasions the Circulation not being yet extensive, should this be the Case Copper Money of a smaller denomination, such as Half pence and Farthings of the same relative & intrinsic Value will be of great Use But Care must be taken at home, that none shall be sent out that is counterfeit or depreciated.

The discussion of these Topicks leads to more extensive consideration, & I think it my Duty on this occasion to submit to the Wisdom of Government what has occupied my mind much on the subject.

When the English came here the Paper Currency issued under the Dutch Government was limited in its amount. Circumstances induced General Craig to add to this, though it created an alarm, lest the encrease of it would be an Injury. As yet no such consequence has followed. On the contrary the Encrease of Business has encreased the want of a more extensive circulating Medium, & I have had some very pressing Applications to encrease the paper Medium, If it were only as an Advance on Condition of giving real Security & of repayment with Interest at a given Period.

This seems a matter worth consideration. But the doubt is, whether an addition to the Quantity of Paper already great, will

not depreciate the present Value of the Paper, now issued, by overloading the Market, as well as whether all increase of paper currency, not supported by Specie, but absolutely substituted in the room of it, will not tend to drain the Colony of all the Specie that is left. It appears evident to me, that paper Currency not supported by Effects to answer the Amount if called upon as is the Case with the Bank of England, whose Credit has been maintained by being possessed of Specie & Effects equal to its issue of Paper, can never stand its Ground, And that were the Proposals made me here acceded to, even on the Terms offered, The Terms would never be made good, & the greatest Distress might follow if Government were to enforce it, At the same time the want of a circulating Medium adequate to the uses of the Colony tends to enhance the Price of everything, & at the same time to shackle and discourage Commerce.

These Considerations have led me to reflect much on the Subject, & I am now more than ever confirmed in my Opinion, which I just suggested to Mr. Ross before he went away, namely that the best Measure to be adopted would be a Colonial Bank, on the Principle of the Bank of England, of which the Governor for the time being to be the Head, with a Deputy Governor & Directors, & with a Bank Stock, for the Security of which Government itself to be the Pledge & I would pour into this National Bank Stock all the present Colonial Funds, those of the Church, The Orphan Chamber, The Lombard Bank, & all other such Funds, The Trustees of which to become Proprietors of the Bank Stock according to Proportions to be settled. This Bank thus established to issue paper Currency like the Bank of England, payable to Bearer & answerable in Specie on Demand, & also to discount Merchants Bills & all other Bills of good Credit, All Persons pouring Specie into the Bank at a denomination to be fixed to receive Interest after a given time, at a certain Rate, or to become Proprietor of Stock at his Option.

This is but an Idea, or outline of a Measure which I conceive will be of great Public Utility, nor have I yet had means, or time to digest such a Plan (should it be thought worth consideration) as it ought to be, But as far as I have been able to consider it, or gather any Information, of the probable Effects of such a Measure I have at present no Reason to doubt of the most important & salutary consequences being likely to follow from it. And I have

on this Account taken the Occasion of the Subject which the letter I am honored with turns upon, to submit what has occurred to me on the Subject, for the Consideration of Government, & I have only now to request Directions what answer to give to Representations and Applications which have been made to me, & what Measures if any appear to Government to be proper to be adopted. Another Consideration connected with this I think it my Duty to mention. The Troops are paid in Specie, but the Men do not long retain it,—they exchange it of course for what they want, & take the Balance if any in paper sometimes of a Sort not authorized by Law. At the same time Government having issued the Money finds Itself too often under the necessity of buying it again, at a Loss, out of the hands of Agents, or Others, who have become possessed of it, & who find this a very lucrative Traffic. It appears to me that some means might be devised by which if Possible Government Itself might furnish the Wants of the Men, & the Specie flow back into the Hands of Government without the Loss it now sustains, to the Gain only of Persons who perhaps are little better than usurious Agents, & who accumulate thus great Wealth at the Public Expence, But upon this subject if not return'd, I conceive nobody so conversant as Mr. Ross it being immediately in his Department. I therefore only throw it out for consideration, But it appears to me that some Person or some Board might be established to superintend this, and prevent any abuse, both to the Satisfaction of the Men, who at present, it is to be feared, have not always Justice done them, as well as the advantage of Government, which certainly suffers unnecessarily at present, & therefore I have thought it my Duty to state it. If this should be thought advisable Government will of Course send out some Person or Persons to execute this Service, I know of none fit for it here.

The account of Specie regularly imported can be nearly ascertained, but what goes out clandestinely cannot so easily be known, however such accounts shall be sent as can be made up.

With regard of Articles of Supply to the Troops for their Consumption, conceiving that Bread, Wine, & Meat is meant, this Account of the price of these Articles, can be made up and will be sent as ordered.

With regard to the Price of other Articles of Consumption, as no particular Description is given of what is intended, it will be difficult to give anything but the general price current of such

articles as I conceive to be meant should be sent. If any others should afterwards be wished for, they shall be forwarded without Delay. For the present however I hope the account herein enclosed will be thought sufficient. I have, &c.

(Signed) GEO. YONGE.

[Enclosure in above.]

The Exchange between this place & London varies almost every six months according to Circumstances, altho' it has been now for some time past established at 20 per Cent against paper, & specie at par.

Notwithstanding this very great difference between Paper & Specie in the drawing of Bills, it is a very well known Circumstance that the actual difference between Specie and paper is seldom more than from 5 to 10 per Cent excepting on Spanish dollars, which are very little in Circulation, being used principally in the purchase of Goods from Foreigners touching here.

The Current price of Beef & Mutton has been (untill lately) 2 Stivers paper money per lb. Dutch. Flour varies according to the price of Corn. The price used to be about 5 Rx. Dollars per 100 lbs. Dutch weight.

Cloathing of all kinds is seldom or ever to be purchased out of Retail Stores for less than 80 to 100 per Cent Currency upon the London wholesale Prices.

The Gold and Silver Coins in this Colony are Star & Porto Novo Pagodas, Gold Mohurs, a few Portuguese Johannas, Spanish Dollars, Rupees, Sicca, Arcot &c., Guilders, Skillings & a few Guineas.

The principle articles of Produce are :—

Wine 25 to 40 Rx. dollars per Leaguer of 150 Gallons.

Brandy 65 to 75 Rx. Drs. per do.

Aloes 8 Stivers per lb.

Bullocks Hides 10 to 16 Skillings.

Gum.

Elephants Teeth.

Wheat 50 to 55 Rx. Drs. per 10 Muids or load.

Barley 27 Rx. Drs. per Do. to 36.

Fine Flour 6 to 8 Rx. Drs. per Cwt.

Rice 12 Rx. Drs. per Ca^t.
 Tallow 18 to 20 Rx. Drs. per Cwt.
 Butter 14 to 16 Stivers per lb.
 Soap 18 Stivers per do.

[Original.]

*Letter from MR. JOHN PRINGLE to the RIGHT HONOURABLE
 HENRY DUNDAS.*

CAPE OF GOOD HOPE, 10th January 1801.

SIR,—I have the honor to inform you that I have as usual received Sixty Aums of Constantia Wine, & that I have shipped forty eight of them (in equal proportions of red & white) on board H. M. Store Ship *Abundance*, as per the enclosed receipt of her Commander.

His Excellency Sir George Yonge has directed me to reserve the remaining twelve for his distribution. I have &c.

(Signed) JOHN PRINGLE.

[Original.]

*Letter from SIR GEORGE YONGE to WILLIAM
 HUSKISSON, ESQRE.*

CAPE TOWN, Jany. 10, 1801.

DEAR SIR,—I am very much obliged to you for the favor of yours and for all your attention, and I have now to trouble you upon several matters.

In the first Place, as a Matter of least Importance, I have to acquaint you that the usual Tribute of Constantia Wine comes by this Conveyance on Board the *Abundance* Store Ship under Convoy of the *Arethusa*, namely 48 awms consigned to Mr. Dundas, to whose order It is to be delivered but I have to say, that, under his all Powerfull Protection 4 awms Is for Lady Yonge, which I hope

you will be kind enough to secure for her, at the same time you will lett Mr. Dundas know, that 48 awms more are at this moment preparing to be sent, in like Manner, to Him, by the next Safe Conveyance, so I hope He will be Good enough to Protect Lady Yonge's small adventure, (Part of the 48 awms now sent, which I notice for fear of Mistakes.)

The mention of Constantia Wine in Particular, naturally leads to the Subject of Cape Wine in General, upon which I have thought it proper to write to Mr. Dundas, on the Intelligence We have received tho' not official, of a new Regulation of the Duties of Import on Cape Wine & Brandies, which I hope Is true, because It will be of great Benefit in Time to this Colony, and We are now considering of some Internal Regulations for Governing the Sending Cape Wines to England under the new Regulations of Import Duties. The enclosed Paper will show the Information we have received on the Subject, and I am in hopes under them that tho' the lower sort will not do, the better sort may be sent and I think will partake of the Nature of Sherry or be something like a good substitute for It. But I shall be glad to know what may be about the Import Price per Gallon of Sherry, on an average, duty of Import paid. I mean what the wholesale Dealers Price is, because much will depend on that. I shall also be glad of Official Instructions from home on this Subject, if any are thought necessary.

The next Subject I have to mention Is about my friend Duckitt, with whom I hope Mr. Dundas will be well Satisfied, for He is doing great Service to Government, as well as to the Colony, and will in Time do more, though he has met with some Difficulties, where He ought not. However I have supported Him, and shall Continue to do so, and I have no doubt of his fully answering the Expectations of Government. At present I have only to entrust to your Care his Letters and his Petitions. What He Prays for must be granted Him, and you will perceive that Some of the Things which had occurred to me have already struck Him, and, as He is much the fittest to Superintend and Judge of all Mechanical and Agricultural Matters, I shall beg Leave in future to leave every thing of the Sort to Him, and having by this Conveyance mentioned the Subject fully to Mr. Dundas, I shall not need to repeat It any more nor meddle with It further than to transmit all his advices Home. In general He is in great

Want of Hands, artificers, Labourers &c. for every thing is to begin here, and He did not come out prepared enough. So He must be Supplyd in order to make It answer, which there is no Doubt of Its Doing, if Supported. Upon this Idea I beg Leave to postpone all my former Commissions to you, leaving every thing, either to Mr. Duckitt whose Wants must first be supply'd or to some other Conveyance, and future Consideration, I am, however, equally obliged to you for your obliging Disposition to execute any wishes of mine, and I hope if you want any thing from hence, you will allow me the Pleasure of getting It you, as one you may fully trust and rely on. I am &c.

(Signed) GEO. YONGE.

P.S. I trouble you with some Letters for Captain Tucker from India just arrived by the *Princess Mary* Indiaman.

I have some letters from Lord Welsley from Bengal where I have the Pleasure to tell you all Is well.

The Letters are dated the 17th Sept^r. 1800.

I forgot to say three Tents are come, this will be enough at present.

I have the Pleasure to tell you that tho Lord Welsleys Letters which are of the 28th Sept^r. do not mention It, there are private Letters come from Bengal come by the *Princess Mary* dated the 8th Oct^r. which announce the taking of Batavia the Account was That Moment arrived, and The *Lady* (*illegible*) & 3 other Ships had just got orders to receive Troops to Garrison the Place.

[Original.]

*Letter from VICE ADMIRAL SIR ROGER CURTIS to
EVAN NEPEAN, ESQRE.*

*Lancaster, TABLE BAY,
CAPE OF GOOD HOPE, 11th January 1801.*

SIR,—The *Princess Mary* a Ship in the Service of the East India Company arrived here the 8th instant after I had closed my Letter of that date, having had a Passage of Ten Weeks from Bengal. By this Ship I received from the Marquis Wellesley the two Most Secret Letters, of which the accompanying are Copies, and which

you will be pleased to lay before the Lords Commissioners of the Admiralty. The one of the 24th October will inform their Lordships of the various Services for the Ships of my Squadron, which his Lordship recommends to my attention.

Their Lordships will observe in the 5th Paragraph of that Letter the Governour General states his having requested His Excellency the Governour of this Colony, to dispatch to India a Military Force from hence. I have had conversation on the subject with Sir George Yonge, and His Excellency duly considering our present Military Strength and all the circumstances relative to this Settlement, has come to a determination that it would be inexpedient to send any part of our force to India, and he means to apprise the Governour General of this determination as soon as may be.

In the 9th Paragraph of the Marquis's Letter of the 24th their Lordships will see the Governour General's intentions relative to the Isle of France, and that his Lordship may make the attempt in the present Month, or the ensuing Month of May.

I am now to advert to the Governour General's Letter of the 25th of October, written in reference to the one of the preceding day's date, to state more distinctly, his Lordship's estimation of the relative importance of each of the several objects which he had recommended to my attention.

I shall notice the several subjects in the Order in which they stand in his Lordship's Letter.

First—"The giving Convoy to any Troops which may be embarked for India." Sir George Yonge not deeming it proper to send any Troops to India, nothing is here necessary to be said.

Second—"To Reinforce Admiral Rainier's Squadron particularly in Frigates." There is not a Frigate on my Station. His Excellency however considers the measure "of inferior importance, either to the accurate observation of the Enemy's movements on the Coast of South America, or at the Mauritius; or to the Blockade of the Mauritius." Since their Lordships' directions contained in your Secret Letter of the 12th March last, there has been a Cruizer stationed off Rio da Plata, and I have had Ships off Mauritius whenever it was possible for me to have them there.

Third—"The Reinforcement of Rear Admiral Blankett. His Lordship does not expect me to provide for this object unless in

the event of an Enemy actually proceeding towards the Red Sea, in which case he presumes I would think it advisable to pursue them with my whole force, giving advice by express to Vice Admiral Rainier." If I become acquainted that an Enemy is proceeding to the Red Sea, I shall certainly without a moment's delay send such reinforcements to Rear Admiral Blankett as may at the time be in my power to afford. And I have sent nothing to Sea since the receipt of your Secret Letter of the 12th March but what has been Ordered to repair with all possible expedition and join Admiral Rainier in case of seeing any Squadron going towards India or of obtaining intelligence that a Squadron was gone thither.

Fourth—"The immediate and effectual Blockade of the Isle of France." This his Lordship considers the most important of all the measures which have been enumerated, excepting the pursuit of an Enemy actually proceeding towards the Red Sea. His Lordship says further: "I am aware, that if it should appear to be expedient to prosecute my design against the Isle of France in the month of *January* next, it may be difficult for you to reach the Island before the operations of the intended Armament may have been brought to an issue. If the expedition should be prosecuted in the present Season it will probably leave Trincomalé about the 25th of December, and proceed directly to Isle France, making the Island of Rodrigues." Their Lordships will observe that I received his Lordship's Letter on the 8th instant (*January*), so that had I sent Ships to Isle France the moment it came to my hands, it would have been impossible for them at this Season of the Year when the S.E. Winds prevail to have reached the Island time enough to have assisted in the operations against it.

The effectually Blockading the Isle France I have constantly considered as an object of no little importance, as will appear by my Letters of the 6th August and 22nd October last, but for the reasons set forth in these Letters, it has never been in my power to do it. I have not Ships more than sufficient to allot one small Division to that Service, and the distance to it is so great, they in general stay no longer than a month before the Island and are then obliged to leave it; and sometimes after a long passage are forced to leave it in a fortnight or three Weeks. Captain Hotham's Squadron was longer there than any other ever had been by

nearly a Month, he having had a very quick passage to the Island.

His Excellency the Governor General of India does not seem positive that the Expedition against Isle France will be carried into effect this Season. In his Letter of the 24th October he says: "the attempt may be made in the Month of January, or in the ensuing Month of May; and that should it be deferred to the Month of May I shall hear from his Lordship again." Being therefore always desirous of having some Ships before the Island, whenever it is practicable, and as I should be most happy they may be there to co-operate with the Force which may be sent against it from India, it is my present intention that, if possible, a Division of my Squadron shall be there towards the latter end of April, and if circumstances will admit of it, I shall probably go myself.

The Governor General appears to deem it still expedient to keep a look out for the Enemy off Rio La Plata, and it will at least require two Ships to relieve each other on that Service. In case the Enemy should send a Squadron to India, and which will assuredly touch at Isle France, it is very desirable such Force off the Island should not be insignificant, lest misfortune should ensue from it; but as my whole Squadron consists of no more than Five Ships, one Sloop of War, (the *Star* having been found unfit for Service as I shall mention in another Letter), and the *Euphrosyne* Brig Tender, it is impossible for me to allot more than two Ships and the Sloop of War to go to Isle France, unless I leave the Cape without a single Ship, and which measure I was at one time obliged to adopt with a view of intercepting the Three Frigates that were supposed to have sailed from Rio da Plata to Isle France. The *Adamant* is in such a state (as I have mentioned in another Letter) that nothing but great necessity could justify the sending her to Cruize in these Seas; nor would it perhaps be justifiable to divest this Colony (for a time at least) of every Ship belonging to it. Their Lordships will I hope pardon me for presuming to say, that were my Squadron thrice as numerous as it is, the Ships could be employed much to the advantage of the general public Service.

Their Lordships will remark that in the Governor General's Letter of the 24th his Lordship says, "that if success should attend his Enterprize against Isle France in January (this Month),

the Naval Defences of the Island will be delivered up to my Squadron." I really do not understand what his Lordship means by this declaration. There certainly must be left a strong Garrison on the Island; and perhaps his Excellency is not apprized that such Garrison must be supplied with Food from other Quarters, as the Island cannot furnish any thing like a sufficiency for the support of the Inhabitants.

His Excellency Sir George Yonge meaning to send a Dispatch to the Governor General of India, I shall reply fully to His Excellency the Governor General's Letters, with assurances of my doing everything that may be in my power to facilitate his views on all occasions, and to conform to his wishes. But it cannot escape their Lordships' notice that the Naval Services which his Excellency recommends to my attention do not at all correspond with the few Ships I have under my Command. The want of Frigates I severely feel. I hope however their Lordships will do me the justice to believe that to the best of my ability, and according to my means, I will do every thing possible to be done for the general good of the Empire.

The Ships which will be sent off Isle France will be directed to proceed to the Red Sea, or to India (as the case may be), if the Enemy should send a Naval Force to either of these quarters.

I am &c.

(Signed) ROGER CURTIS.

[Original.]*

*Letter from SIR GEORGE YONGE to the RIGHT HONOURABLE
HENRY DUNDAS.*

CAPE TOWN, 12th Jany. 1801.

SIR,—I have the Honor to transmit to you, enclosed, a Copy of a Dispatch just received from the Marquis of Wellesley, from Fort William, and Extracts of similar Letters addressed to Sir Roger Curtis on the same Subject.

* Nearly all of Sir George Yonge's letters are in his own handwriting, which is as bad as his spelling and punctuation. This is by another hand, but the signature is his.

With all the Alacrity in the World and Deference to His Lordships Judgement, as well as towards the British Service; yet Circumstances have compelled me to postpone complying with his Lordships request, till some Orders from Home shall warrant it. In this Opinion both Sir Roger Curtis & Maj. Genl. Dundas concur after a full consideration of the Subject.

The leading Circumstances which compel this Determination are, first, The State of the Garrison, which from the Sickness which unhappily weakened two Regiments, the detaching two Regiments, less than which it is presumed would be of little use, there would actually remain in Garrison not one Regiment fit for actual Service as Maj. Genl. Dundas represents to me.

The next Circumstance is, That the sending these Regiments with proper Convoy would leave the Force remaining at Sea as weak as that by Land, considering the Dispersion of the Ships belonging to this Station, already to different parts on Service.

The next circumstance is the very recent healing the wounds of our Intestine Disturbances and the Internal Tranquility secured, as much as any thing, by seeing the Strength now in our Hands, which Security might be shaken by seeing Weakness instead of Strength, which the Disaffected here would not fail to derive hopes from.

The next Circumstance is the strong Reason there is to think that whatever other Projects France may have, the Project of an attack on this Colony, and an Attempt to recover this lost Possession to the Dutch is a matter concerted between France & the Batavian Republick, & that this is precisely the Season of the Year at which an Attempt of this Sort is most likely to be made, if at all.

The next Circumstance is that Mr. Wellesley, who has just left us, & who came from England only in Sept^r. brought no Order, nor the least Intimation to us, of any such Requisition, which it is conceived would not have been the Case, had any Emergency or any Danger been expected to India, where indeed at present there is neither War, nor Danger of attack, nor can it be, that Orders should not have come had any Cooperation from hence been in Contemplation, with any operations in the Mediterranean, where the Operations have long ago commenced, & I trust ended in Success.

All these Circumstances have combined to the Measure of post-

poning the Compliance with the Requisition made for the present. Full of Zeal at the same Time for assisting in the Common Cause Eventual Preparations shall be made to forward with as little Delay as possible such Succours as can be spared, whenever the Exigency or Orders shall make it necessary, so that the Delay I hope will not be material.

I am in the meantime perfectly of Opinion, that this Place is the great Out Post of India, & it will be desirable always to consider it as the Depot, or Point of Departure from whence any Measures, either of Offence or Defence, may be forwarded, as the best Use which can be made of it, and indeed which our Enemies would no Doubt adopt were it once more in their Power, nor do I conceive India would ever be safe, either in Peace or War, if France had the Cape, any more than if she remains possessed of Egypt. But if I may be permitted, I would first suggest the Security of the Cape, & the furnishing it with perhaps more than necessary Numbers, to enable it to detach on an Emergency seasoned Troops for Essential Services, with as little Delay as possible. The Policy and Wisdom of such a System is evident & not difficult to effect.

At present however it is rather embarrassing to be divided between the Care of securing this valuable Possession from Attack & the Advantage of such Exertions as are now required so suddenly, that though the Marquis Wellesley favoured me with two letters, of no longer date than Sept^r. last not an Idea of this kind appears then to be entertained of such a Measure.

At all Events I shall much wish for positive Instructions, How far I may or may not in future comply with any such Requisitions as the present, having for their Object such Important Public Service, as the present undoubtedly has in View. Services which I most anxiously wish to second, though withheld for the present, partly for want of such Instructions, and partly from Motives of Caution two serious to be disregarded. I have &c.

(Signed) GEO. YONGE.

P.S. The effective Force of this Garrison at present does not exceed 3900. This Force was meant to be permanent here, & of this after deducting for Sick, for Guards, & other Services, 2000 Men is the most that could be brought to act at this moment against an Enemy in the Field. What is there to spare.

[Original.]

Letter from SIR GEORGE YONGE *to the* RIGHT HONOURABLE
HENRY DUNDAS.

Most Secret and Confidential.

CAPE TOWN, *Jan'y.* 12, 1801.

SIR,—In addition to all I have transmitted to you Concerning Mr. Prediger, who is returning on Board the *Abundance* Store Ship to England, with all the Papers seized with Him both Publick and Private, all of which throw Light on each other, as well as on the whole Business, I have the Honor to acquaint you, That just before his Departure I received Certain Intelligence, that he opened to some Person here in Confidence, That this Colony was certainly to be attacked, and that from Holland, if possible, and that a Considerable Party was formed and forming here, to assist the Enemy, on Landing. The extent of the Conspiracy I shall endeavour to find out, But I have no Doubt of the Truth of this Intelligence, as It Confirms what is hinted at in his Papers, as being one Object of his Mission, and I have Still less Doubt of his having done his Utmost to Promote this Object, during his Stay here nor have I been Inattentive to his Motions, from whence, perhaps, I may gain a Clue to the Nature and Extent of the Conspiracy formed, or forming; I do not pretend to form as yett any just Conjecture from this, but, as far as any Judgement can be formed I should suppose some Considerable Persons likely to be engaged in It.

No Vigilance or Care, shall be wanting to Guard against whatever may happen, But in this Situation It is my Duty to express my Earnest Wish that It may be possible to furnish Succours to this Place as soon as possible. My Secret Dispatch on the Subject of the Dispatches from India will shew, how very requisite such Succours are in Case of Attack from the present State of the Garrison, nor will such succours be unadviseable even if no Attack should take Place or should the attempt most happily fail. For then such Succours might assist the Common Cause with Advantage, as proposed in those Dispatches, But at any rate I shall wait most anxiously for them here. I have &c.

(Signed) GEO. YONGE.

P.S. Two Portuguese 74s. are arrived at Rio Janeiro under Commodore Campbell, and they have 2 Large Frigates taken from the French off the Brazils by the *Relliquem* (?) and sold to the Vice Roy. The Spaniards have only two Frigates and a Corvette at Rio de la Plata. There is no Force at the Mauritius, but some large Privateers which do much mischief.

[Office Copy.]

Letter from the RIGHT HONOURABLE HENRY DUNDAS *to*
MAJOR GENERAL DUNDAS.

DOWNING STREET, 14th January, 1801.

SIR,—I inclose to you the copy of a letter which I have in obedience to His Majesty's Command this day written to Sir George Yonge, directing him to resign the Government of the Cape of Good Hope into your hands, immediately on the receipt of it, and without waiting the arrival of Lord Glenbervie who has been appointed his Successor, until the arrival of whom you will continue to execute the duties of this important charge.

The Ship appointed to carry out Lord Glenbervie is not yet perfectly ready for Sea, but I have reason to think it will be but a short time before his Lordship will be able to proceed.

I have &c.

(Signed) HENRY DUNDAS.

[Office Copy.]

Letter from the RIGHT HONOURABLE HENRY DUNDAS *to*
SIR GEORGE YONGE.

DOWNING STREET, 14th January, 1801.

SIR,—I am commanded to signify to you His Majesty's Pleasure that immediately on the Receipt of this Letter, without waiting for the arrival of Lord Glenbervie, who is appointed your successor, you are to resign the Government of the Settlement of the Cape of Good Hope into the Hands of the Lieutenant Governor for the

time being, and that you are to avail yourself of the first opportunity of returning to England, bringing with you all such Documents, or authenticated Copies thereof, as you may think necessary to enable you to pass your accounts before the Auditors of Public Accounts, as Governor of the Cape of Good Hope, it being His Majesty's Intention to give directions for the same to be investigated, in the usual manner, immediately on your arrival in this Country. I have &c.

(Signed) HENRY DUNDAS.

[Copy.]

Proclamation by SIR GEORGE YONGE.

Whereas it appears by a Report made to me by the Burgher Senate, whose duty it is from time to time to regulate and fix the assize of Bread, according to the rate at which Wheat is to be purchased, that as the price of that Article is now established till further orders, it will be expedient and proper that the following rates at which the Bakers are to supply the Inhabitants with Bread, should be fixed and made public, I do therefore hereby order and direct that the same shall be strictly attended to and observed.

First. All Bread made of Meal as it comes from the Mill, without any of the fine flour being taken out of it, at the rate of one pound and three quarters for two Stivers.

Secondly. Bread made of Flour after it has been sifted and the Bran taken out at the rate of fourteen ounces for two stivers.

And as it appears that these rates are just and equitable, allowing a fair gain to the Baker, and ensuring to the Inhabitants better and more nutritious Bread than what they have lately been supplied with, I do hereby warn the Bakers not to attempt, under any pretence whatsoever, to defraud the public by selling Bread under weight or making it of other Materials, or in any other manner than what is herein laid down and prescribed, and in order the more effectually to guard against any frauds which may be attempted in the vending of that necessary article of life, I have thought proper by these presents to order and direct that two Commissioners, that is to say a Member of the Burgher Senate,

chosen according to rotation, and of the Committee of the Government Corn Magazine, shall visit at least once a week, and as often as they shall think proper, all the Bakers shops in Cape Town, for the purpose of examining both the quality and the Weight of the Bread, and should they find any Bread under Weight, or that is not made conformable to the Regulations herein contained, then and in that case they are immediately to report the matter to the Fiscal, who will send a proper Officer to seize and confiscate the same, and should any Baker be discovered in such fraudulent practices he shall forfeit the sum of One Hundred Rixdollars, which shall be paid into the Colonial Treasury, and further any person or persons buying Bread from the Bakers, and who shall afterwards discover the said Bread to be either short of Weight, or improperly made, shall upon prosecuting the said Baker or Bakers to conviction before the Fiscal, receive one third of the before mentioned penalty.

Finally I do hereby order and direct that every Baker shall mark his Bread with his name under the penalty of Ten Rixdollars for every loaf of Bread without such Mark.

Given under my Hand at the Castle of Good Hope this 24th day of January 1801.

(Signed) GEO. YONGE.

[Copy.]

Letter from the MARQUIS OF WELLESLEY *to* VICE ADMIRAL
SIR ROGER CURTIS.

SIR,—In my most secret Letter of the 24th October 1800 I had the honor to apprise your Excellency of the possibility of my attempting the reduction of the Isle France either in the Course of the Month of January 1801, or of the ensuing Months of April and May.

2. I am concerned to inform your Excellency that unexpected circumstances have occurred to prevent the departure of the proposed expedition during the former of these periods, although I had made every necessary preparation for the purpose. Notwithstanding this disappointment I am resolved to resume my

proposed attempt against the Isle of France in the Months of April and May.

3. If the expedition against the Isle of France had taken place in January 1801, it would have proceeded directly from the Island of Ceylon to the Isle of France. In consequence of circumstances which have occasioned an alteration of my original Plan, the Armament assembled at Ceylon will now proceed, in the first instance, to Batavia; and from thence to the Isle of France.

4. In order that your Excellency may be in full possession of my views, I have the Honour to state the arrangements which I have made for the purpose of carrying them into effect.

5. The force now collected in Ceylon at Point de Galle and Trincomalé amounting altogether nearly to 4500 Men has been ordered to proceed with all expedition to Batavia. It will leave Ceylon about the 15th of February and will probably arrive at Batavia about the 15th of March. This force will probably be sufficient to reduce Batavia either by Capitulation or assault within a short period of time, and my order therefore is that after the reduction of Batavia, and after providing a sufficient Garrison for the place, the remainder of the force employed together with such additions as I may be enabled to make to it should proceed from Batavia to the Isle of France under the Command of the Honourable Colonel Wellesley.

6. The Military force which I expect to furnish in this manner for the expedition against the Isle of France will consist of nearly 3000 Europeans including Artillery and Pioneers. The information which I have received from Mr. Stokes lately a Prisoner in the Isle of France has satisfied me that this force will be amply sufficient for the reduction and Garrison of the Island, unless Reinforcements shall have arrived from France since the 5th of August 1800.

7. The Armament will probably proceed from Batavia about the 30th of March and will be directed to make the Island of Rodriguez where I trust it may arrive about the 25th of April. Orders will be given to the Armament to follow the Route and in making the Island of Rodriguez to observe the position stated to your Excellency in my Dispatches of the 24th October 1800.

8. Circumstances may arise which may protract the departure of the Armament from Batavia to the Isle of France beyond the

30th of March ; in no case however do I apprehend that the delay can extend beyond the conclusion of the Month of April.

9. The principal inconveniences which would arise from any such delay would be, first the possibility of a reinforcement of the Garrison for the Isle of France, and secondly the necessity of detaining your Excellency's force on the Station for a longer period of time than would otherwise be required. The first of these dangers will probably have been averted by the vigilance of your Excellency's continued blockade of the Island ; with respect to the second inconvenience it is inseparable from the necessity of combining forces so distant in an united operation. I rely however with the most implicit confidence on your Excellency's approved zeal, ability, and perseverance to preclude any material injury to the public service from this unavoidable evil.

10. In this confidence, and relying on your Excellency's cordial cooperation in the important enterprize in contemplation, I have given positive Instructions to Colonel Wellesley to proceed with all expedition from Batavia to Isle of France without waiting for previous advices from your Excellency.

11. Your Excellency will feel the importance of affording your cooperation with the most respectable naval force which you can apply to this Service. Your assistance is now become more necessary as I am at present uncertain whether the Armament will be accompanied from Batavia by any force from Vice Admiral Rainier, and I may possibly find myself compelled to resort to the Company's Armed Ships even for Convoy to the Transports. Four Gun Boats will be attached to the Transports, for the purpose of assisting in covering the disembarkation of the Troops. I shall employ every possible effort to augment the naval strength of the Armament previously to its departure from Batavia.

12. Your Excellency will determine whether the precise station of your naval force intended to cooperate in the attack on the Isle of France shall be off the South Eastern extremity of the Island of Rodriguez, or off the Isle of France. As the first attempt on the Island will be made by an assault of the nature of a surprize, the station off Rodriguez appears to be most eligible with a view to the proposed system of attack. The station off Rodriguez would not excite the continual apprehension and vigilance of the Enemy, whereas a large force stationed off the Isle of France might probably lead to that consequence. If therefore in your Ex-

cellency's superior judgment it should appear practicable for His Majesty's Ships under your Command to preserve their station off Rodriguez, that station appears to me to offer the most favourable point of junction with the Armament proceeding from Batavia. I also trust that your Excellency might still be enabled to maintain the blockade of the Isle of France on a reduced scale during the period of your Cruize off Rodriguez. In any case, the junction of the Armament with your Excellency's Squadron will certainly be secured, by the precautions which your Excellency will have taken, of stationing Advice Vessels off Rodriguez in the track of the Armament, according to the suggestions expressed in my former Dispatches. The Commander of the Armament will thus receive information of your Excellency's arrangements respecting the Naval force, together with such further advices as your Excellency may consider to be necessary for promoting the success of the enterprize.

13. That the Ships employed on these services may be able to ascertain each other, the commander of the Armament will be supplied with a Copy of the Set of Signals transmitted to your Excellency with my Dispatches of the 25th of October 1800. From these Signals and the Route then described to your Excellency no deviation will be made.

14. With a view of affording additional security and facility to the proposed junction between your Excellency's naval force and the Armament, an Advice Boat, attached to the Armament, will be desired to look into the Harbour of Rodriguez, for the purpose of communicating with any of your Excellency's Ships, which may be found in that Harbour. This Advice Boat will be furnished with the Signals established by my Dispatches of the 25th of October 1800.

15. I have stated to your Excellency that the force destined to proceed from Batavia against the Isle of France appears to me to be fully adequate to the reduction of that Island, unless reinforcements should have arrived from France subsequent to the 5th of August 1800; it is however advisable that your Excellency should convey from the Cape of Good Hope, for the purpose of cooperating with the Troops from India, as large a European Detachment, particularly of Artillery, as may be in the power of His Excellency the Governor of the Cape of Good Hope to afford for that service. This precaution will become more necessary if your Excellency

should have reason to believe that any Reinforcement has reached the Isle of France subsequently to the fifth of August 1800.

16. By this Dispatch I have advised Sir George Yonge of my intentions to act against the Isle of France, and I have requested His Excellency to furnish such a force on this occasion as he may be able to afford with reference to the actual strength of the enemy at the Isle of France, according to the most recent information which the Government of the Cape may have received.

17. It is of the utmost importance that the earliest possible advice, as well of your Excellency's intentions, as of the state of affairs at the Isle of France, should reach the Commanding Officer of the Armament destined to proceed from Batavia against that Island. For which purpose I request your Excellency to dispatch without delay an Advice Boat to Batavia, with the necessary information, addressed to Vice Admiral Rainier, Major General Baird, Colonel Wellesley, or the British Officer commanding at Batavia. I understand that such a communication from your Excellency may reach Batavia previously to the period at which the Expedition may be ready to proceed from thence to the Isle of France. In any event however I wish your Excellency to understand that the Expedition will not wait at Batavia for the Receipt of Advices from your Excellency.

18. Your Excellency will please to direct that the Advice Boat proceeding to Batavia be furnished with a Copy of the Signals established between the Armament and your Excellency, as the Armament may possibly fall in with the Advice Boat between Batavia and the Isle of France.

19. As the necessity of obtaining any aid in Troops from the Government of the Cape may be considered to be in some degree eventual, and to depend on the state of your information with respect to the amount of the force in the Isle of France, your Excellency may possibly be of opinion that any application to Sir George Yonge may be avoided; and the indispensable necessity of observing the strictest secrecy with regard to any plan of operation against the Isle of France certainly renders it advisable to restrain within as narrow limits as possible the communication of the object of the Armament in India.

20. Under this impression I have had the honor to enclose to your Excellency my Dispatches for Sir George Yonge on this subject, and I leave it to your Excellency's discretion either to

deliver them, or to suppress them altogether, according to your judgement.

21. If your Excellency should deem it advisable to make any communication to Sir George Yonge on this important subject, or if any Troops should be embarked on board your Excellency's Squadron from the Cape with a view to the proposed Expedition, I earnestly recommend that an Embargo be laid on all the Ports within the jurisdiction of the Government of the Cape from the time of the delivery of my Dispatches to His Excellency the Governor, until a sufficient period of time shall have elapsed after the departure of your Excellency's Squadron, to prevent the danger of any premature disclosure of our intentions to the Government of the Isle of France. I have, &c.

(Signed) WELLESLEY.

FORT WILLIAM, 26th January 1801.

P.S.—If the Troops for which I applied to Sir George Yonge by my dispatches on the *Princess Mary* shall not have left the Cape when these dispatches shall reach your Excellency, and if it should be Sir George Yonge's intention to afford me the aid of the Troops required by my dispatches on the *Princess Mary*, I request your Excellency to employ those Troops in the first instance to cooperate with the Armament from India against the Isle of France; from whence they may subsequently either proceed to India, or remain to form the Garrison of the Island according to Colonel Wellesley's arrangements. In the case supposed in this Postscript (namely that the Troops required by me from Sir George Yonge should be nearly prepared to embark) it will of course be necessary for your Excellency to communicate with Sir George Yonge of my views against the Isle of France.

(Initialed) W.

[Copy.]

Proclamation by SIR GEORGE YONGE.

Whereas the preservation of the Woodlands of this Colony has always been an object of the constant care of the Government, and Regulations have from time to time been made for this purpose by its authority.

And whereas in the year 1786 certain permanent Commissaries were named, and appointed by the Governor Van de Graaff, who were empowered to superintend and direct everything concerning the said Woodlands; and also to contract for the due cutting and Sale of Timber from the said Woodlands, the whole of which was placed under the Controul of the said Commissaries, who were also authorized to regulate everything concerning the Coasting Trade to and from the several Bays of this Colony, in order to provide for the supply of Corn and Timber, and other produce to Cape Town.

And whereas in 1792 on the recommendation and direction of the Commissaries General, the Governor and Council directed the then permanent Commissaries to report to them such regulations as appeared most proper for the preservation of the said Woodlands, as also for the annual Sale thereof in Lots, in just and due proportions, and also for the better regulation of the Coasting Trade and navigation of the Colony, in all the Bays on the Coast; which permanent Commissaries did accordingly Report their opinions and propose various Regulations on these Subjects, which were afterwards approved of by the Governor in Council.

And whereas many of the said Regulations appear extremely useful and well adapted for the purpose intended, and as it will be of great advantage to the Colony to renew and revise the same, as also to make such new Regulations as by the lapse of time experience has shewn to be necessary.

I have therefore Judged it proper in Conformity to the said Ordinances of 1786 and 1792 to appoint and I do hereby appoint Permanent Commissaries One for Cape District and Stellenbosch, One for Zwellendam District, and One for Graaff Reinet, with full powers to superintend, direct and manage the several Forests and Woods in *Oute Niqua Land* and the Forest and Woods in the

neighbourhood of Plettenberg's Bay, Mossel Bay, Algoa Bay, and parts adjacent; as also all other Forests and Woodlands in this Colony.

And I do hereby vest them with full powers to provide for the preservation of the Woodlands in all the said Districts respectively, for which purpose I have directed a Commission to be made out to each of them for their respective Districts.

Granting to them all the same powers as were formerly granted to permanent Commissioners, That is to say, to direct the cutting and selling of the Timber on the said Woodlands, in just and regular lots successively; or else to contract with any person or persons for cutting and selling the same at the several rates and according to the Rules herein after mentioned; and none other to be allowed to cut or sell the same, but such as shall be so authorized by the said Commissaries or by persons deputed and appointed by them for that purpose by warrant under their hands.

With power also to appoint proper Surveyors and Inspectors, whose duty it will be to watch over the Woodlands, and visit the same; and prevent the waste or destroying or burning the said Woodlands, or injuring the Young Timber; with power also to grant Licences for cutting the said Timber, without which none is to be cut, such Licences to be granted on paying to the Commissaries the Fees herein made payable on such Licences; the said Licences to be registered by the said Commissaries, or such person or persons as shall be deputed or authorized by them, which register shall contain the date of the Licence, the name of the person to whom it is granted, the quantity of Timber to be cut, and the time for which the said Licence shall continue, and within which the said Timber shall be cut and carried away, and to what place it is to be carried.

The person obtaining such Licence shall carry or cause the same to be carried to the Inspector, who thereupon shall cause the proper Trees or Lots to be marked or numbered which are to be felled, and shall direct and superintend the felling of the same, and he is to take care that the same be done and completed in the manner, and within the time specified in such Licences; and also to register the date of the said Licence, and the name of the person obtaining it, and the time for which it is allowed to run, and also to register the marks and numbers of the Trees felled in pursuance of such

Licence, and the time when the same were cut and carried away, the said Inspector taking as formerly Six Stivers for every tree so marked and delivered pursuant to such Licence and no more, the said Fee to be paid by the holder of the said Licence under the penalty of Twenty Five Rixdollars payable to Government for every tree not marked and numbered, or for not observing the Conditions contained in such Licences, or not paying the said Fee, and also under the penalty of forfeiting the Licence, and being incapable of ever having another Licence granted.

On the arrival of any of the Timber so felled according to the Licence at any of the Bays of the said Colony report is to be made thereof to the postholder or other proper Officer to be appointed for that purpose, who is thereupon to make an entry of the Quantity of the said Timber, and the marks, number, and dimensions of each piece, which the person bringing the same is to deliver to him for that purpose, and also the marks with which they are marked, and the date of the Licence under which such Timber was cut, on receipt of which a Certificate thereof is to be given to the person delivering the same, to be by him produced on his arrival at the place of his destination; and the like Regulations to be observed with respect to all timber not carried to any of the said Bays, but transported inland, and the papers in that case to be exhibited to the proper Officers to be appointed for that purpose, and the like duty to be paid on Sale as if sold in Cape Town. The duty to be charged is to be in proportion to the quantity of timber allowed to be cut in each Licence, and payable on granting the same, that is to say four Skellings and two Stivers a load of the said Timber, and no Timber shall be taken away until payment of the said Duty.

All Timber not sold by public Vendue shall previous to any Sale by private contract be certified to the permanent Commissary, who shall thereupon charge the same Fee and duty as if Sold by public Vendue, according to the market price then current of such Timber.

Provided always that the powers herein granted to the permanent Commissary shall not extend to the allowing any of the Woodlands herein after mentioned to be cut or Sold by licence or otherwise, that is to say, to any part of the Woodland called or known by the name of *Groot Vaders Bosch* extending in a direction nearly East by West from the *Great Brakke River* along the foot

of the range of Mountains towards *Point Fermosa* near *Plettenberg's Bay*. But the said Commissaries and their Officers are hereby strictly charged and commanded to protect the whole of the said Woodlands from being cut, and from all manner of spoil or waste, and in order to prevent any part of it being cut, burnt or otherwise wantonly damaged or destroyed, to prohibit the same by public notice, and to cause any offender against this Command to be severely punished.

The Commissaries are to enter all their proceedings in a Book to be kept for that purpose, and to transmit a Duplicate of it annually to Government; and in case of any Contract being made with any person or persons for cutting Timber, the same shall be made in writing, and a duplicate transmitted to Government.

Provided also that the duties hereby directed to be paid as aforesaid shall not be payable on any firewood brought to Cape Town or elsewhere, as Fuel, from any of the aforesaid Districts, but that the same shall and may be brought and Sold by Public or private Sale free of Duty.

Provided also that the said Commissaries shall oblige the several Officers employed under them to account with them every month for all Monies Received by them under their authority; which together with all such Monies as shall be received by the said Commissaries in pursuance of those Regulations, shall be accounted for by them to the Receiver General every three Months.

And in order to prevent any dispute arising, or complaint being made, by or among the Inhabitants of the said Woodlands, and especially of *Outniqua Land* concerning their being justly paid for the Timber Cut & Sold pursuant to these Regulations; it is hereby further ordered & directed, that the said Timber shall be regularly paid for, at Mossel Bay or any of the other Bays, on producing the Certificates and other Documents required to be produced before the postholder, by these Regulations, such payment to be made, either in the Currency of the Colony, or in Bills of exchange or in goods Wares & Merchandize, at the option of the parties to whom the money is due, and the payment is to be made, without any fraud, deceit, or unreasonable excuses whatsoever and without delay, on the delivery of the said Timber as aforesaid.

And in order to prevent any Monopoly or any undue preference, or pretended claim to any authority or preference whatsoever, in

carrying on the said Business, or conducting the Coasting Trade in any of the Bays of the Colony, It is hereby further ordered and declared, that it shall be free to all His Majesty's Subjects, inhabiting this Colony, to trade to all or any of the Bays on the Coasts of the Colony, only subject to such commercial Rules and Restrictions as are already established respecting the Trade and commerce of the Colony, but without being obliged to take out any general or special permission or Licences so to do, and Subject only to the following Regulations.—

Every Ship or Vessel, clearing out for any of the Bays on the Coasts of this Colony shall previously make a declaration of the Ship and Cargo, and of the port or Bay to which the said Ship is bound, and at which the said Cargo is to be delivered, and shall enter into a recognizance for the due performance of the Voyage agreeable to the said declaration, and thereupon a Coasting permit shall be granted to the said Ship and Cargo on the above Conditions; which on the arrival of the same at the destined port, shall be exhibited to the Postholder, or other proper Officer appointed or to be appointed at the said Port for that purpose, upon whose Certificate of the arrival of the said Ship, & landing of the said Cargo at the said Port, the said Recognizance shall be discharged, otherwise to be strictly enforced. And in case any Vessel so discharged, or undischarged, or partly discharged, shall have occasion to proceed to any other part of the Coast, or to return to the Port they came from, the said Postholder, or other proper Officer, shall grant a similar Licence, or permit, on similar Conditions, to authorize such Vessel to proceed to such other port or Bay, on her arrival at which the same documents shall be exhibited at such other port, and a similar Certificate and discharge given under the same restrictions, and so from Port to Port, and to any of the Bays of the Colony.

Provided always, that no Contraband Goods, nor any Commerce contrary to the King's orders in Council or any of the Laws of the Colony shall in any wise be carried on, under Colour of such Coasting Trade; but the same shall be punished and all such Offences be liable to the same penalties as are now inflicted on illicit Trade.

Given under my Hand & Seal at the Castle of Good Hope this 26th day of January 1801.

(Signed) GEO. YONGE.

London Gazette.

At the Court at St. James's, the 11th of February 1801, Present the King's Most Excellent Majesty in Council.

Whereas by Order in Council, bearing date the 28th of December 1796, His Majesty was pleased, among other Things contained in the said Order, to declare it to be His Pleasure, that no Goods, Wares, or Merchandize which should be imported into the Settlement of the Cape of Good Hope, or the Territories or Dependencies thereof, from any Part of His Majesty's Dominions should be subject to any Duty; His Majesty having taken in His Royal Consideration the present State of the Trade, Commerce, and Revenues of the said Settlement, and the Territories and Dependencies thereof, is hereby pleased, by and with the Advice of His Privy Council, to revoke, and doth hereby revoke so much of the said Order of the 28th December 1796, as exempts from Duty any Goods, Wares, or Merchandize which shall, after due Notice to be given by the Governor of the said Settlement, as hereinafter directed, be imported into the said Settlement, or the Territories or Dependencies thereof, except Goods, Wares, and Merchandizes of the Growth, Produce, or Manufacture of Great Britain or Ireland; and so much of the said Order shall, from and after such due Notice, cease and determine: And His Majesty is further pleased to declare, and it is hereby declared, that it shall and may be lawful for the Governor of the said Settlement, and of the Territories and Dependencies thereof, for the Time being, to impose on all Goods, Wares, and Merchandize not of the Growth, Produce, or Manufacture of Great Britain or Ireland, which shall be imported into the said Settlement, or the Territories or Dependencies thereof, from any Part of His Majesty's Dominions, after such due Notice, a Duty not exceeding Ten per Cent on the Value thereof, such Duty to be rated and collected in the same Manner as is in Use with regard to the Import Duty now levied at the said Settlement, and the Territories and Dependencies thereof, from and in Ships and Vessels belonging to the Subjects of Countries and States in Amity with His Majesty, and upon the Goods and Merchandizes imported in the same.

Provided always, That the Commencement of such Duty shall

be fixed in the Proclamation, or other lawful Instrument, which shall be made and issued by the said Governor for the Purpose of imposing such Duty, which time shall not be less than Six Months from the Day of issuing such Proclamation or other lawful Instrument : And provided also, That the Rate of Duty imposed on the Importation of Goods (not the Growth, Produce, or Manufacture of Great Britain or Ireland) from any Part of His Majesty's Dominions, when so imported in British-built Vessels, owned and navigated according to Law, shall in no Case be so high as that which shall be imposed on the like Goods so imported in the Vessels of Foreign States.

(Signed) W. FAWKENER.

[Copy.]

Proclamation by SIR GEORGE YONGE.

Whereas it appears by the Representations made to me by the Burgher Senate and by the Corn Committee that it is highly necessary to use every possible means to reduce the Consumption of wheat throughout the Colony, and more particularly in Cape Town and its Environs, I therefore think proper to resort to such measures and Expedients as have heretofore been usual in similar cases, and in pursuance of this Resolution I hereby order and direct that from and after the 15th day of the present Month of February, one kind only of Bread should be made of the whole Flour as it comes from the Mill after taking therefrom the coarse Bran or Simmels not exceeding the proportion of ten lbs. out of every hundred lbs. of Meal.

And I hereby further order that after the 15th Day of this present Month no Cakes or other Articles of Confectionery or pastry made from Flour shall be made for sale.

And whereas the foregoing Orders and Regulations will have the consequences of depriving the Bakers of a part of the fair and ordinary profits of their trade, I do hereby order and direct that in order to encourage them to supply to their customers good wholesome, nutritious, and well baked Bread, the price of Bread baked from the whole Meal as before mentioned shall be fixed and remain till further orders at the rate of 1 lb. and $\frac{1}{2}$ for two Stivers, and

every baker or other person transgressing the foregoing Orders and Regulations hereby established shall be subjected to the penalty of Five Hundred Rixdollars for every offence so committed.

And whereas as it may be necessary that a small quantity of white Bread should be made, or a small quantity of fine Flour sifted for the use of aged, infirm or sick persons, I hereby authorize and empower the Burgher Senate to make such orders and Regulations to that effect as they may from time to time judge necessary or expedient.

And I hereby forbid all Bakers or other persons except such as may be duly authorized by the Burgher Senate, from making of white Bread and from sifting or bolting of Meal for the purpose of separating or taking fine Flour therefrom, and no Baker or Miller is to sell or otherwise dispose of any Meal or Flour to any person whatever without the special Licence or authority so to do from the Burgher Senate, or such persons as may be empowered to grant such Licence or authority under the penalty of Fifty Rixdollars for every pound of Meal or Flour so sold or disposed of.

And moreover I would have it clearly understood that it is the Main End and Intention of the foregoing Orders and Regulations to provide that the whole of the Corn delivered to the Bakers shall be baked into Bread for the use of the Inhabitants, or into Biscuit for the supply of shipping under the orders and Regulations already made respecting Biscuit.

Given under my Hand & Seal at the Castle of Good Hope this 11th day of February 1801.

(Signed) GEO. YONGE.

[Copy.]

Proclamation by SIR GEORGE YONGE.

Whereas the increasing and it is to be feared well founded apprehensions that the quantity of wheat in the Colony is not equal to the usual annual consumption, make it necessary that Government should continue to pursue such means as may ensure not only an impartial and equal distribution, but also the most provident and economical use of the Stock of Corn in hand, on extraordinary occasions of this kind it becomes necessary to depart

from the general principles of legislative policy and to have recourse to measures which might be deemed severe, but from the peculiarity or special nature of the Circumstances by which they are dictated.

Under the impression of these principles, and governed by the most anxious solicitude for the general welfare, I judged it expedient to fix by my Proclamation of the 4th December the standard price of Wheat and to make other Regulations regarding thereto, which have already been attended with the most advantageous effect.

But in order to give fuller and more beneficial operation to the Orders and Regulations already established respecting Wheat, it appears to me absolutely necessary that the price of Barley also should be fixed during such time as the apprehensions of scarcity may make it necessary to continue a fixed price on Bread Corn.

The reasons for such a measure are sufficiently obvious, in as much as it is notorious that by the practices of artful and interested people, the price of Barley is raised very much above the proportion it ought to bear to the price of Wheat; and the Farmer is thereby tempted to bring Barley to Market and to consume Wheat in the feeding of Cattle and for other unsuitable purposes, and if such disproportion in the price of those Articles is suffered to continue the evil will be still more encreased by the Farmer directing his labour to the Cultivation of Barley in preference to Wheat.

It is therefore upon the foregoing Considerations, and upon the most mature deliberation, that I think proper to order, and I do hereby order, that the price of Barley brought into Cape Town or its environs shall be fixed and remain till further orders at the rate of Three Rixdollars and four skellings the Muid, which is considered a fair rate, allowing an ample profit to the Farmer for his Labour, more especially as the Crop of Barley this season has been an abundant one, and in order that the public may derive the full advantages that are intended by these regulations, I do hereby order that no Barley shall be sold at or in any other place except the regular Market in Cape Town, under the penalty of Five Hundred Rixdollars being levied both on the Vender and the purchaser, besides confiscation of the Barley itself, and should any person or persons be detected in purchasing or laying up in store a greater quantity than what is absolutely necessary for their own consumption, in order privately to retail the same at a higher rate than what is herein laid down and prescribed, such person or

persons shall upon conviction pay the sum of One Hundred Rixdollars for every Muid of Barley so bought up or retailed, the whole of which penalty shall be paid to the Informer.

It is to be hoped that it will be no longer necessary to interpose the authority of Government in regulating or fixing the price of Grain, after the Blessing of plenty shall be again restored to the Colony. But in the mean time, and in order the sooner to obtain so desirable an end, I think it highly expedient to stimulate the Farmers to Exertion and Industry, by holding out to them the fair prospect of their labours meeting a suitable reward.

It is allowed that the price at present paid of Forty three Rixdollars for the Load of Ten Muids of Wheat is a high price, if the Harvest is moderately good.

In order therefore to give every possible Encouragement to the Farmer to cultivate a greater quantity of Wheat than usual, I feel it my duty to give, and I hereby give, the solemn assurance of Government that the price now fixed of Forty three Rixdollars per load shall not be diminished before the Month of May 1802.

And I think proper as a further inducement to the Farmers to exert themselves to the utmost to declare that if a failure should take place in the produce of the next year's Crops, That Government will in such event take into its most serious consideration the propriety of making such an encrease to the present established price as may bear a just proportion to the quantity of Grain produced.

Be it understood that it is by no means the intention of Government to encourage the Cultivation of Wheat, to the Exclusion of other Grain, but on the contrary to recommend to the Farmers to till and sow as much Land as possible with Grain of all kinds, but more especially Wheat, Barley & Rye.

It is also to be understood that the Regulations contained in these presents have no reference whatever to the price at which Barley has been supplied to the Commissary General for His Majesty's Service, as that must remain the same as before established.

Given under my Hand & Seal at the Castle of Good Hope this 13th day of February 1801.

(Signed) GEO. YONGE.

[Original.]

*Letter from SIR GEORGE YONGE to the RIGHT HONOURABLE
HENRY DUNDAS.*

CAPE TOWN, *Feb'y.* 18th 1801.

SIR,—It is with great Concern that I have to announce to you the Distress of this Colony, arising from the Want of Provisions owing to the Failure of the Crops. Corn has been above 9/ the English Bushell, and tho it is now reduced to about 5/6 by the Regulations I have made, yet, by the Report of the Burgher Senate, on the State of the Harvest, which is now just over, there is reason to fear, there will not be stock to last beyond Sept^r. next certainly not to the next Harvest.

In this Distress Rice is the only Resource, of this unfortunately there is but little at present, and the price is above 6d. per lb. Vessells have therefore been Dispatched to Bengal, Madras, and to Rio Janeiro, for supplies, but it is the Demand from England of 5000 Ton from India, will make our Supply from thence uncertain, and we are preparing to send for some from Madagascar. I wish these Measures may relieve us, otherwise I fear the effects on the Public Peace which the Cabals of the dissaffected People may attempt to produce, but every Caution will be taken to prevent this.

It is possible that the Supplies which may be obtained from Rio Janeiro can only be paid for by Bills on England, a carefull Supercargo is sent to regulate this, and as soon as the Vessel returns with her Cargo, so that the Cost can be ascertained, If this should prove to be the Case, the Amount of all such bills as may have been drawn on England, shall be transferd from the Colonial Revenue, and paid into the Pay Master Generals Department, to be by Him sent to England, or disposed of as Government shall think proper to order. The Cargoes expected from Bengal, and Madras I have desired may be drawn for, on the Revenues of this Colony, the communication being easy, and I am assured the Presidencies under whose Direction I have placed this Matter will have no objection to this Method.

Every Step is in the mean time taken to remedy the Evil, by forbidding any White Bread by restraining the amount of the

Issues to each Family, according to their number, among the Rest the Ration to the Troops is reduced from $1\frac{1}{2}$ lb. p Day to 1 lb giving them a Compensation in Money of 3d p Week, Hair Powder is also forbid, and in addition to these Precautions, We have given encouragement to the Farmers, to grow next year by engaging to secure them the sale of their whole Produce at $\frac{5}{6}$ p Bushell ready money on delivery for which Purpose, a Corn Committee is established which is now paying to the Farmers at this rate, and Magazines are hired to receive whatever is thus brought to Government, while orders are sent to the Landrosts, in the Interior, to encourage the Farmers to bring their Corn to the Coast, where Vessells will be sent to receive it.

The Arrival of the Expedition under Sir Home Popham, is under these Circumstances rather inconvenient from the difficulty of supplying them, but every Exertion is made to do it, and I hope they will be ready to go next week, tho half the Convoy is not yet arrived.

This will be sent by the *Varuna* from Bengal, which has touched here on her way to England. She carries also Dispatches from the Marquis Wellesley and brings advice that an Expedition having 3000 Troops on Board sailed from Calcutta in Nov^r. last, and that Batavia was Blockaded by Admiral Rainiers Squadron.

Everything in the Interior remains quiet, tho Guyka still avoids giving any Answer to our Offers of Peace and Friendship, and His people continue their Predatory Inroads, but they are repelld, and their Plunder generally recovered and The Fear of the Firmness of Government will at least keep him quiet. In the mean time all the fugitive occupiers of Lands in Graaffe Reinnet are returned to the Cultivation of their Places, relying on the Protection, as well as the Mildness of the British Government, which I am happy to find The Measures that have been pursued by me, have Inspired them with, looking now up with Confidence, to Its Justice, to Its Humanity and Benevolence, as well as Firmness.

The Official return of the present State of the District proves this. The number of Occupiers are now about 12000, of which about 7000 are Hottentot Servants, besides Slaves. This Number is rather more than there was before the Troubles except about 1600 Hottentots, which I am sorry to say The Troubles have certainly driven away and destroyed. The Amount of the Live Stock still remaining in the District notwithstanding the Troubles,

and still continuing Depredations, amounts to about 100,000 Head of Cattle and about 900000 Sheep, and the greatest Luxuriance of Pasture now reigns there, owing to the abundant seasonable rains that have lately fallen, previous to that Drought was very Distressing, and in addition to this, Swarms of Locusts had spread themselves over the Country for many miles, making very great Devastation, when suddenly, soon after the Rain an Immense Flight of Birds, known only to come periodically, was seen in Numbers that Darken'd the Sky, which wheeling round where the Locusts were devouring the Land, fell upon them and in a short time, there was not a Locust left alive, this Providential Deliverance is work'd by a Small Bird of Flight something like a Swallow, or between that and a Red Start. The Boors call them emphatically, the Locust Destroyers, and have no other name for them. Forerunners usually precede the Main Body, by which the Farmer knows his deliverance is approaching, when nothing else could save him. The Locusts if not thus destroyed at that time would soon have laid their Eggs, and thus perpetuated their Devastations. The Crops of Corn have however suffered from them irretrievably, tho the Pasture has recovered, But it is chiefly a Country of Pasture, The Cultivation of Corn not being very prevalent as yet. But I am in Hopes that by the encouragement held out, especially by the facility of bringing Corn Coastways Agriculture will be encouraged throughout all the Interior. The Dutch did this and had great magazines here of Corn, which they made an Article of Export trade. These Magazines were full when the English came here, but they were soon emptyed, and have been neglected ever since. The Revival of them, I hope will prove beneficial to the Colony, and even to Great Britain tho at present we labour under great Difficulties.

The Usual Directions have been given for sending home such Public Accounts, and Public Acts, as are ready, which will come by this Conveyance. I have &c.

(Signed) GEO. YONGE.

[Unsigned Duplicate.]

*Private Letter from SIR GEORGE YONGE to the RIGHT
HONOURABLE HENRY DUNDAS.*

CAPE TOWN 19th Feby. 1801.

SIR,—Several private Channells though no official ones, having lately announced to me, that it was likely to be His Majestys Pleasure, that I should be relieved from this Government, and permitted to return I think it right to take the opportunity of the *Varunas* sailing for England, to say, that as in my coming out here, so in my Return, I most chearfully, and readily obey His Majestys Commands, whether in sending me to the remotest Regions of the Earth, or in commanding my Services at Home. Sure I am that I have ever experienced that Goodness, Grace and Favor, from Him, That all must experience that serve Him, and I am as sure that of all who serve Him, however they may excell in other Respects, none can ever serve him with more pure, and disinterested zeal, and Fidelity, than I have now for 20 years, nor, if I may presume to say it, with a warmer Attachment to His Majestys Person, as well as his Government, nor do I presume to say this, as any Merit but as a Proof, I hope, of my never having been wanting, either in the Sense of my Duty, nor in the faithfull Discharge of it.

Having said thus much, Sir, I have little more to trouble you with, excepting that after having thus served the best of Masters, I hope to His Satisfaction not scrupling at an advanced time of Life, at a Moments Warning and a most unexpected Summons to go at once from the Latitude 56° N to 34° South, and cross the Globe on a Voyage of at least 9000 Miles without knowing having never been at Sea, How far the fatigue of such a Voyage might or might not ruin my Constitution. I know I can rely, and I do rely, most entirely, on His Majestys Goodness, for such a Mark of Favor, and Reward, for my Humble Services, as that Goodness alone can suggest, or as I may be permitted to pray for. And I desire to be laid at His Majestys Feet, assuring Him of my ready Obedience to His Commands. This I can most safely say, That as Zeal alone prompted, as It ever has done, my prompt and perfect Obedience, so I have been as disinterested, as I have been true, in

the Performance of the Duty which that Zeal imposed upon me, without regard to any Idea of any other Nature, so that, to confess the Truth, as far as relates to any Profit, or Gain, The Expences of my Equipment, and my Situation here (my Residence here having been so short) have been such, That I shall return no Richer than I went out, or rather much poorer, tho I thank God not poorer in Spirit, nor in Zeal and Attachment to my Sovereign.

For the rest, all Discussion on any Topic being now useless, and having already given you more trouble than enough, I have only to thank you for your Attention to me, and hoping I may rely on the Continuance of your Good Wishes. I have &c.

[Original.]

Letter from SIR GEORGE YONGE *to the* RIGHT HONOURABLE
HENRY DUNDAS.

CAPE TOWN *Feby.* 20th 1801.

SIR,—I did myself the Honor of writing to you to acquaint you with the arrival of Mr. W. Duckitt, with his Assistants in the Agricultural Department and I also had the Honor of sending you an account of the Public Services he had already rendered to Government.

I have now the Honor to acquaint you, that every Day furnishes new Proofs of the Wisdom of the Measure of sending him out, of the good Effects likely to be produced from it, and of the Zeal and Activity, with which he pursues the Objects you recommended to him.

I have agreeable to your desire afforded him every Protection in my Power, and lent him every assistance He desires, and it is with great Satisfaction that I can now say His Exertions, and Example, begin to produce the best Effects, and the Farmers instead of being prejudiced and obstinate are become convinced of the Advantage of superior Skill in, and superior Instruments of, Husbandry, nor would he want Employment if he was only occupied in making English Ploughs, and other Implements for those who wish to have them.

He has now taken a Place belonging to Government about 20

Miles off, which having been let at an annual Rent, I have thought it my Duty to require the continuance of the Rent, and he has engaged, on being furnished with the necessary assistance, which has been done, to hold that Farm as an experimental Farm on account of Government, being allowed the use of one other Place, not far from that, for a change of Pasture, and Timber for necessary Uses. Of these Places He is to keep an Account of the Returns, setting against this the Charge of all the assistance furnished by Government, and He is sanguine that in two years he will be able to repay all the Charges, with good Interest to Government, and he means to hold himself accountable for the whole Produce of what He is thus possessed of. In addition to this, I have already stated the Beneficial manner, in which he has come forward to break a Combination in the Meat Contract, The Details of which I need not again trouble you with, and will only say, that he is fulfilling the Contract in Fact upon better Terms, as to the Delivery, than He stipulated, and I am sure he will continue to do so, nor have I the least Doubt, but at the Expiration of the present Contract, which is for two years, He will by his Activity, and Exertions be enabled to fulfill your Wishes, by supplying both Army and Navy on Terms most beneficial to Government, nor can any thing be more Important than your having suggested this Idea to him, which I am confident Government will in time feel the good Effects of, nor, could you have suggested, or entrusted this either to abler, or, what is better, and, always most desirable, to Honester Hands.

In Return for such Services so soon begun and performed, I have thought it my Duty to ask him what Reward he wished to receive at the Hands of Government assuring him that both my Instructions, and my Opinion empowered and disposed me to listen to any reasonable Proposal He might make, and I did not doubt of its being approved of. His answer was, that He wished only to have some Land, which might enable Him to make further Exertions, and set an example, which would prove of the greatest Public Utility. On this Condition that, as the Land he already had, He should regard as the Property still of Government and continue accountable both for the Rent, and Produce, He hoped the other Land might be granted him, as some Reward for his coming out, and for his Services, and he would beg leave to point out and class together, such Places as appeared to him most

suitable to be held together. He has accordingly pointed out 3 or 4 Places, now vacant belonging to Government, which He has begg'd as a Grant for himself as a Gratuity. On two of them there was an annual Rent reserved, on the others there was never any Value set, nor were they occupied, or of any profit to Government. I have agreed to give him a Permanent Grant of these as a Gratuity fixing a Fine on each and requiring the present annual Rent to be still paid which is now fixed on the others, so that in Point of Revenue Government will lose nothing, besides in the first Instance gaining the Amount of the Fine, and I hope hereafter, gaining the Public Advantage arising from the additional Cultivation and the Improvement of Agriculture to the whole Colony, and I am happy to think that a Foundation is, thus securely laid, for a very considerable addition to the Prosperity of the Colony as well as for the Attainment of the object proposed by the Wise Measure of sending Mr. Duckitt out, who I am convinced will in every Respect answer the Expectations of Government.

I have &c.

(Signed) GEO. YONGE.

[Original.]

Letter from VICE ADMIRAL SIR ROGER CURTIS *to*
EVAN NEPEAN, ESQRE.

Adamant, TABLE BAY,
CAPE OF GOOD HOPE, 20 February 1801.

SIR,—I am now to give you an account, for their Lordships' information, of the Naval occurrences here since my Letter of the 12th ultimo.

The *Lancaster* sailed on the 23rd ultimo to relieve the *Tremendous* off Rio de la Plata.

Information having been received here that orders might be soon expected for embarking the 61st regiment of Infantry to go on a particular Service, and a detachment of this Regiment being at Graaff Reynet on the Eastern extremity of the Colony, I ordered, on the 3rd instant, the *Rattlesnake* to proceed to Algoa Bay and bring the abovementioned detachment to this place.

On the 5th instant His Majesty's armed Ship the *Buffalo* arrived here from New South Wales.

On the 12th instant the *Romney* and *Sensible* Troop Ship arrived here, and the *Victor* Sloop on the 14th, the latter having parted with the Troop Ships the *Sheerness* and *Wilhelmina* on the passage. As Sir Home Popham will acquaint their Lordships with every thing respecting his Squadron, it is needless for me to enter into any detail thereon. We are giving every possible assistance, and using every exertion to enable him to prosecute the orders he is under. Sir Home Popham's Ships appear to have met with very bad Weather in their passage, for their demands on us for Topmasts, Yards, &c. have, compared with our stock, been very great indeed; and we have been obliged to furnish them with no inconsiderable quantity of Sails, Cordage, &c. &c.

Our apprehensions of a want of Bread in the Colony encrease daily. Upon a conference between General Dundas and me on the subject, we came to a determination to reduce the daily allowance of Bread to the Navy and Army. The former are at two thirds allowance, and the latter reduced in their rations nearly in the same proportion; and measures have been taken to lessen the general consumption. So short is my department in Bread that we had it not in our power to supply Sir Home Popham's Ships with the quantity wanted for them, but they have been furnished with half Bread, and half Rice as a substitute for Bread. In my Letter of the 12th ultimo I requested that 500,000 pounds of Bread with some Pease might be sent hither as soon as possible, and I hope their Lordships will see the necessity of so doing. For even though perhaps we may not be reduced to real want before the next Harvest, it must unavoidably be a great length of time before we can possibly get a stock of Bread beforehand to answer any emergency. I am &c.

(Signed) ROGER CURTIS.

[Original.]

Letter from MAJOR GENERAL DUNDAS *to the* RIGHT
HONOURABLE HENRY DUNDAS.

CAPE OF GOOD HOPE, *February 24th* 1801.

SIR,—I have the honour to acknowledge the receipt of your letter dated the 29th of October last on the 12th instant and am to acquaint you that one Troop of the 8 Regiment of Light Dragoons one Company of the Royal Artillery with three Companies of the 61 Regiment and Eight pieces of field Artillery have this day embarked on board the Squadron commanded by Sir Home Popham whose intention it is to proceed to-morrow with the forementioned part of Col^l. Auchmuty's detachment for the place of his destination.

The *Bombay Sensible* and *Victor* Sloop of war only belonging to Sir Home Popham's Squadron have as yet arrived at the Cape having had about 300 men of the 65 Regiment on board a part of what is intended to supply the place of the 61 Regiment and which have been landed here accordingly.

All the Camp Equipage ammunition, entrenching Tools, medical and other stores which have been provided here for Colonel Auchmuty's detachment have been put on board a small vessel which has been procured here and chartered for His Majesty's Service in consequence of a representation made by Sir Home Popham that His Majesty's Ships were not able to stowe the several articles requisite for the service of the Expedition in question And I am to add that the remaining Seven Companies of the 61 Regiment being in perfect readiness for going on Ship board no time will be lost in dispatching them after the remaining ships of Sir Home Popham's Squadron have arrived and in readiness for receiving the forementioned Troops on board.

It has afforded me much pleasure to learn that the 61 Regiment with the Company of Artillery will return to this station after an absence of a few months since the Corps about to be detached forms a very important part of the military force here and the number of Artillery in particular being at present greatly inadequate to the duties of the Garrison. I have &c.

(Signed) FRANCIS DUNDAS.

[Copy.]

Letter from the MARQUIS OF WELLESLEY *to* SIR
GEORGE YONGE.

FORT WILLIAM, 1 March 1801.

SIR,—I have the honour to inform your Excellency that on the 6th ult°. I received Dispatches from Mr. Secretary Dundas under date the 6th of October 1800, communicating His Majesty's commands to me to furnish a force to cooperate on the shores of the Red Sea with the combined British and Turkish Armies acting against the French in Egypt from the side of the Mediterranean.

By the same Dispatch I was apprized that an Armament under the command of Sir Home Popham, conveying a Regiment of British Troops, had been directed to touch at the Cape of Good Hope, and after landing the Regiment from England and embarking a Regiment from the Garrison of the Cape, to proceed to form a junction with the British Forces acting in the Red Sea.

In consequence of His Majesty's commands I have resolved to apply to the important object of a diversion on the Coasts of the Red Sea the whole of the Force assembled at the Island of Ceylon and at Bombay, according to the intimation communicated to your Excellency in my Dispatch of the 24th of October 1800.

In my Dispatch of the 24th of October 1800 I stated to your Excellency various considerations connected with the security and tranquillity of our Indian Possessions, which induced me to solicit a reinforcement of two European Regiments from the Cape of Good Hope; and I have subsequently repeated my request with a degree of earnestness proportioned to the exigency of affairs in this Country. I am willing to hope that no obstacles have intervened to prevent your Excellency from complying with my application to the extent of two Regiments of Infantry, including that dispatched with Sir Home Popham. But if the embarkation of the Troops which I requested should have been delayed until your Excellency received intimation of His Majesty's commands to furnish a Regiment from the Cape in exchange for that embarked from England with Sir Home Popham, I hope that this limited demand of His Majesty's Ministers will not have appeared to your Excellency to supersede the necessity of complying with my

request. I therefore trust that unless circumstances connected with the safety of the Colony of the Cape of Good Hope should preclude your Excellency's compliance with my request, you will dispatch one Regiment of Infantry to India in addition to that which you have been required to furnish by His Majesty's commands.

The most eligible place of destination for the Troops your Excellency may dispatch from the Cape in compliance with my request appears to be Bombay, and accordingly your Excellency will be pleased to give the necessary instructions for landing at that Presidency any Troops which you may embark from the Cape for India in consequence of my application. I have &c.

(Signed) WELLESLEY.

[Copy.]

Letter from the MARQUIS OF WELLESLEY *to* SIR
GEORGE YONGE.

Most Secret.

FORT WILLIAM, 2nd March 1801.

SIR,—In my despatch of the 1st instant I had the honour to advise your Excellency that in consequence of His Majesty's commands, communicated to me by Mr. Secretary Dundas, I had dispatched an Armament from India to the Red Sea to co-operate with His Majesty's and the Turkish forces assembled in the Mediterranean for the purpose of expelling the French from Egypt.

2. The success of the operations of the British Troops in the Red Sea will depend essentially on their being furnished with regular and ample supplies of Provisions. Every practicable exertion will be made for the dispatch of the requisite supplies from India; but from the great extent of the supplies, the difficulty and risk which will necessarily attend their conveyance, combined with the lateness of the season, it is possible that the supplies which the Troops may receive from India may not be adequate to the exigencies of the public service.

3. Persuaded that your Excellency will readily make every practicable exertion to promote the success of the Armament, I enclose to your Excellency a list of the articles of Provisions which I understand are obtainable at the Cape of Good Hope, and I request that your Excellency will be pleased to order the specified quantities of the several articles to be dispatched with all practicable expedition to the Port of Mocha in the Red Sea, and that you will instruct the Commanders of the Ships in which the supplies may be conveyed to obey such directions as they may receive for forwarding the supplies to the Army from Mr. Charles Stokes, the officer whom I have appointed to reside at Mocha or at whatever place the Commanders of the Naval and the Land Forces may appoint, for the purpose of collecting the supplies dispatched to the Red Sea, and of forwarding them to the places where they may be required.

4. It is not improbable that the state of the French power in Egypt may essentially render it necessary to make considerable additions to the Armament which has proceeded from India to the Red Sea; and it is accordingly my intention to take immediate measures for strengthening the Armament with such reinforcements as, with the aid of the Troops which I have solicited from Your Excellency, it may be in my power to provide.

5. In the event supposed (of the occurrence of which I shall give your Excellency the earliest intelligence) the aid of all the resources of your Excellency's Government may be indispensibly necessary both for the purpose of completing the supplies for the subsistence of the Troops, and for that of assisting them in the prosecution of their operations.

6. I request therefore that Your Excellency will be pleased to apprise me by the *Mornington* Packet, of the extent of the resources which could be furnished from the British Possessions under your Government, for the purpose of assisting in the prosecution of the operations against the French in Egypt on an extended scale.

7. It is my wish that the information which I have solicited for Your Excellency should embrace the following points:—

1st. The quantity of Salted Provisions, of Grain, and of other Articles (requisite for the subsistence and comfort of the Troops) which could be furnished from the Cape of Good Hope; specifying the respective prices of the same.

2ndly. What number of Horses or Bullocks for draft or carriage could be supplied from the Cape ; and at what rates ?

3rdly. The quantity of Tonnage which Your Excellency might expect to be able to command for the conveyance of the several articles to the Red Sea.

4thly. The periods of the Season in which any given proportions of the Supplies of provisions or other articles, or of draft or carriage cattle might be expected to be dispatched from the Cape of Good Hope to Mocha, and the probable length of the Voyage in each Season.

5thly. To the above information I request your Excellency will be pleased to add any suggestions which may occur to you respecting the means of prosecuting the supposed operations, as far as those means can be furnished from the Cape of Good Hope.

8. All the expences which your Excellency may incur on account of Supplies to the Troops in the Red Sea should be carried to the account of the Crown ; and I shall direct the several Governments in India to discharge any Bills which your Excellency may draw upon them for expences incurred on the same account.

9. I request that your Excellency will be pleased to direct that I may be furnished with copies of the accounts of all expenditure which may be made under your Excellency's orders, in consequence of the requests contained in this letter, in order that I may be able to transmit complete accounts of the expenses of the Armament to England.

10. I have transmitted a Copy of this letter to His Excellency Sir Roger Curtis, and to the Agent of the Company at the Cape of Good Hope, with my earnest request that they will co-operate with your Excellency to the utmost of their power for the purpose of enabling your Excellency to provide, and to despatch without delay to Mocha, the supplies which I have requested in the third paragraph of this letter ; and also for the purpose of assisting your Excellency's exertions in furnishing the further aid for which I may have occasion to apply to you, in the event of the operations against the French in Egypt being protracted, or of its becoming necessary to prosecute the operations from India to the Red Sea on a more extended scale.

11. I request that your Excellency will be pleased to transmit

by the earliest opportunity to Mr. Secretary Dundas a copy of this letter and a copy of the letter which you may do me the honour to address to me in reply. I have &c.

(Signed) WELLESLEY.

[Copy.]

*Letter from VICE ADMIRAL SIR ROGER CURTIS to the
MARQUIS OF WELLESLEY.*

CAPE OF GOOD HOPE, 9th March 1801.

MY LORD MARQUIS,—The Ship *Arran* being to sail from hence for Calcutta, I avail myself of the opportunity to acquaint your Lordship that Sir Home Popham in the *Romney*, with the *Sensible* Troop Ship, the *Victor* Sloop of War, a Storeship, and a Tender, sailed from hence for the place of his destination on the 28th ultimo. The *Sheerness* and *Wilhelmina* Troopships mentioned in my Letter of the 15th February arrived on the 26th of that Month, and I am sorry to inform your Lordship in a sickly state, as well of the Troops they brought, as of the Ships' Companies, and some delay must unavoidably ensue before the Ships will be sufficiently purified to receive on board fresh Troops, without great danger of their catching the same Fever with which the Troops that came in them from England were afflicted. But your Lordship may be fully assured I am using every exertion to render the Ships fit to receive the Troops that are to be embarked in them here, and they shall proceed according to the instructions to their Captains which have been left by Sir Home Popham, as soon as it shall be possible.

In my Letter to your Lordship of the 5th February I informed you of the Ships I had then with me, and that one of them—the *Diomedé*—for the reason therein mentioned was not then ready for Sea. Owing to the preferable attention it was necessary to shew to the Ships under Sir Home Popham, to enable them as speedily as might be to prosecute their Voyage, the putting the *Diomedé* into a state for Service has only this day been accomplished. The number of Ships with me continues the same, and for various very important reasons with reference to the general posture of affairs in Europe, your Lordship will doubtless perceive the impropriety

of divesting the Colony of the Naval Force allotted for its protection. But exclusive of these considerations, as your Lordship has stated to me that the success of your Enterprize against Isle France "must principally depend on sudden and secret execution," my now sending any Ships off that Island would be attended with the most mischievous effects, in regard to your Lordship's views upon it. For the Commanders of the Ships of my Squadron, when before the Island, have been in the habit of such cordial intercourse with it, it would unavoidably become known to the Governor that an Armament had arrived here from England; and whether he took it for certain it was designed to act against Isle France, or not, he is an Officer of such activity and vigilance, the knowledge of the circumstance would most assuredly put him on his guard, and defeat your Lordship's hopes of attacking it by surprise. And were the Ships directed to have *no* intercourse with the Island, the effect would be the same, for the change of conduct must naturally make the Governour believe there was an important reason for it, and apprehension and precaution would inevitably follow.

In your Lordship's Letter to me of the 24th of October last, you say "that if success should attend your Enterprize against Isle France in the Month of January, the naval defence of the Island will be delivered over to my Squadron." In reply to that Letter (dated 17th January) I stated that I did not clearly understand your Lordship's meaning by that declaration. In my same Letter of the 17th January, I took the liberty to offer my sentiments to your Lordship respecting in what manner the Garrison left upon the Island must be supplied with Food. I have too high an opinion of the liberality of your Lordship's mind to think for a moment you will be in the least offended I now repeat, that the Garrison of Isle France *cannot be furnished with subsistence from this Colony*. By the assistance we have solicited from India in our present distress, your Lordship will know we are in the most alarming apprehensions of being totally without Bread. Permit me therefore my Lord once more to represent to your Lordship, that if your attempt upon Isle France shall be crowned with success it is impossible the Garrison left to defend it (which for various evident reasons must I conceive be a very strong one) look to this Colony for their supply of Food.

I hope your Lordship will pardon me for presuming to suggest

that if you obtain possession of Isle France, the most prompt and efficacious measures should be taken to furnish the Garrison with the most ample supply of Provisions, sufficient for Twelve Months if possible; nor should the stock in store, in my humble opinion, be ever reduced to less than a sufficiency for Six Months.

I have &c.

(Signed) ROGER CURTIS.

[Office Copy.]

Letter from the RIGHT HONOURABLE HENRY DUNDAS *to*
MAJOR GENERAL DUNDAS.

DOWNING STREET, 16 *March* 1801.

SIR,—I herewith transmit to you the Copy of a letter from Sir George Yonge dated Cape of Good Hope 12th May 1800, inclosing several papers relative to the Conduct of Mr. Jessup, Searcher of the Customs at that Settlement, and informing me of his having suspended that Gentleman from his said Office. I also transmit to you a memorial I have received from Mr. Jessup with several other papers in his behalf complaining of the injustice of his suspension, and I am commanded to signify to you His Majesty's pleasure that you are, as soon as circumstances will permit, to appoint an especial Commission, composed of not less than three of the principal Officers of His Majesty's Government at the Cape of Good Hope, with Instructions and Authority to enquire into the case of Mr. Jessup and to report the same to you, in order that you may refer it to me for His Majesty's information and final decision.

As I have reason to apprehend that you may also be called upon to enquire into other abuses committed at this Settlement during the late Administration of the Government thereof, it will be necessary that the powers vested in the Persons appointed by the Commission abovementioned should be extended to the Cognizance of all such cases as you may think it right to refer to their Consideration and you will also transmit to me, for His Majesty's information, the reports you may receive from them on any such

references as above adverted to, and in case Circumstances should appear of such a Nature during the Investigation as to require the suspension of any other Officer, you will in conformity to the powers vested in the Governor of the Cape of Good Hope for the time being, be at liberty to suspend such Officer from his functions, and in that case you will take the earliest opportunity of reporting the motives which may have induced you to take such a measure, in order that the case may be considered and a proper decision taken upon it in this Country. I am, &c.

(Signed) HENRY DUNDAS.

[Office Copy.]

*Letter from WILLIAM HUSKISSON, ESQRE., to MAJOR
GENERAL DUNDAS.*

DOWNING STREET, 16 March 1801.

SIR,—Mr. Dundas having had reason to apprehend that both Sir George Yonge and Mr. Duckitt have very much misunderstood the situation in which the latter is placed at the Cape of Good Hope, has thought it necessary that you should be made fully acquainted with the subject, and has therefore directed me to inform you that Mr. Duckitt was in the first instance selected to proceed to the Cape for the purposes of improving the state of the Agriculture of that Colony, which it was conceived might be rendered more equal to the supplying the Wants of the Inhabitants by the introduction of a System of British Husbandry, in which Mr. Duckitt is certainly extremely well informed. With this view Mr. Duckitt was authorized to provide such implements of Husbandry, Seeds, and Stock, as he conceived would be most useful to the work in which he was to be employed, and also to engage a certain number of Farming Servants, qualified to render him essential assistance. It was agreed that Mr. Duckitt should be paid a salary of five hundred Pounds a year and which he was allowed to receive from a period somewhat prior to his leaving this Country, in order to enable him to prepare all necessary Conveniences for himself and his Family for the Voyage and for his Establishment at the Cape. The passage of himself and the persons he took with him as farming

Servants, as well as the Conveyance of all the Seeds and various implements of Husbandry which he carried out, were provided at the public Expence, and the purchase of all those implements and seeds has also been defrayed at the charge of the Colony.

It was likewise settled that in the event of his Death, an annuity of one hundred and fifty pounds should be secured to his Widow.

Under these stipulations Mr. Duckitt proceeded to the Cape of Good Hope as a Public Servant of the Settlement, to employ the means thus placed at his disposal, and held by him in trust for the Settlement, in such manner as his knowledge and Experience, consistently with the approbation of the Government, might lead him to conceive most conducive to the object of his Employment, namely the improvement of the Husbandry of the Settlement.

Mr. Dundas having, as I have observed, reason to believe that the Expence of Mr. Duckitt's Establishment and his Allowances have by no means been confined within the bounds abovementioned, is desirous that you should take the necessary steps to ascertain what sums of money, allowances or advantages of any other description, have been supplied to Mr. Duckitt over and above his Salary of five hundred Pounds per annum; and that you should call upon Mr. Duckitt to account to you for any such overplus, and in case of his having been put in possession of any Estates or Lands, that he must account for the proceeds of the same as Trustee and Manager on behalf of the Government of the Cape: Any stock or implements that may be upon the said Estates, if furnished at the public Expence, whether belonging to or produced from the original Supply which he carried with him from hence, or procured at the Cape, must also be considered as a part of the public property entrusted to him for the use and benefit of the said Government. In short Mr. Duckitt's Salary for his personal services is fixed at five hundred pounds per annum, and everything that has been furnished to him exceeding the rate of that annual allowance belongs to the Government of the Cape and must in one shape or other be accounted for to the same.

In the event of its being the wish of Mr. Duckitt to hold a certain proportion of Land under the Government at a fair annual rent and to farm it on his own account, it is not intended

to make any objection to his being gratified in this respect, but the whole arrangement as existing between Government and him is confined to what I have stated in this letter. I have &c.

(Signed) WM. HUSKISSON.

London Gazette.

At the Court at the Queen's House, the 17th of March 1801, Present the King's Most Excellent Majesty in Council.

His Majesty having been pleased to appoint the Right Honorable Robert Lord Hobart to be One of His Majesty's Principal Secretaries of State, his Lordship was this Day, by His Majesty's Command, sworn One of His Majesty's Principal Secretaries of State accordingly.

[Office Copy.]

*Letter from the RIGHT HONOURABLE LORD HOBART to
MAJOR GENERAL DUNDAS.*

DOWNING STREET, 18th March 1801.

SIR,—His Majesty having been pleased to honor me with the Seals of the War Department in the room of the R^t. Hon^{ble}. Mr. Secretary Dundas, I take the earliest opportunity of acquainting you therewith.

It will give me great Satisfaction to be able to fulfill His Majesty's gracious Intentions in this Appointment, and as it is His Majesty's Pleasure that your dispatches should for the future be addressed to me, I shall not fail to lay them before The King, and to transmit to you such orders as His Majesty shall think fit to give thereupon. I have, &c.

(Signed) HOBART.

[Original.]

Letter from SIR GEORGE YONGE *to the* RIGHT HONOURABLE
HENRY DUNDAS.

CAPE TOWN, *March 20th 1801.*

SIR,—I take the opportunity of the *Coromandel* going to England to send this Dispatch enclosing the last Quarterly Public Accounts as far as the same could be made up, and also a List of Papers relative to the Cargo of a Ship, under Prussian Colours, seized here as French, and which has been proved to be so, and to be acting under the Orders of the French Ministry loaded with French Merchandize, and bound to the Isle De France on Condition of bringing the return Cargo to some Port in France, by which as I mentioned in my last Dispatch the System of French Commerce, under these False Colours, appears to be developed, more in detail than has yet been discovered, The Papers were found on Search, concealed in the Timbers of the Ship and painted over. Both Ship and Cargo have been condemn'd by the Court of Vice Admiralty here as a Droit of Admiralty, the Suit having been prosecuted by me under the Powers vested in me, on Behalf of the Crown.

In my last Dispatch also, I mentioned the detention of M: Prediger a Dutch Emissary on Board that Ship, sent in Concert with France, to put Batavia in a State of Defence, and to Plan Hostile attempts against this Place, and other Settlements of ours in India, who even during his detention here was active in the forwarding these hostile Views, tho the sending him back will I trust in some degree frustrate their Execution, not but his Intrigues here with the Disaffected have I doubt had more Effect than could be wished.

On the 13th of last month Part of a Convoy under Sir Home Popham (the remainder having parted Company) arrived here with a Detachment of the 65th Reg^t. They brought Orders to take the 61st in Exchange, and having received Supplies of Provisions, Men, Money, Ordnance Stores, and every thing else that could be furnished, they sailed from hence, without waiting for the remainder of the Convoy, Since which the remainder of the Convoy is arrived but being very sickly not having less than 200 Sick on

board, they are not in a Condition to proceed on their Voyage, tho every thing that is possible is done to assist them, and they will take the rest of the 61st Reg^t. with them.

I am sorry now to announce the very great Distress of the Colony, owing to the bad Harvest, so that We have been forced to send for Rice to Bengal, Madras, and the Brazils and it has been with the greatest Difficulty, that We have supplied the Troops under Sir Home Pophams Convoy with some few Provisions, together with about 100,000 lbs of Rice, out of our Stores, though we stand in need of 3 Millions of Pounds to supply our own Wants, and Corn is now at a Price never before known in this Colony, nor are we at present without apprehensions, that unless the Supplies of Rice sent for arrive, we shall be without Bread before the next Harvest, though every Measure is taken to lessen the Quantity consumed, by limiting the Allowance forbidding the Use of fine flour, and even mixing Barley with Wheat.

I have appointed an Extraordinary Committee to superintend the Business besides taking every Measure myself that I judged likely to be of Service, some of which have had already a very salutary Effect, and I hope the Committee will be able to take similar Steps to the same End. But our Distress at present is very great, and the Expences in getting Supplies will be such as Necessity alone would occasion the Incurring, but which, therefore, is unavoidable. I have &c.

(Signed) GEO. YONGE.

[Original.]

*Secret Letter from SIR GEORGE YONGE to the RIGHT
HONOURABLE HENRY DUNDAS.*

GOVERNMENT HOUSE CAPE TOWN March 20: 1801.

SIR,—I have the Honor to acquaint you that I have received two Dispatches from the Marquis Welsley, one of the 29th Nov^r. and the other of the 27 Jany last, in which His Lordship developes and explains the Object of the armament fitting out in India, and renews with great Earnestness, his Request for the Assistance of a Military Force from hence, Pointing out a Place of Rendezvous for them when sent from hence, and Praying that the Force to be sent

may consist of at least two Compleat Regiments fitt for Immediate Service, besides a Detachment of artillery, and ordnance Stores. But this Request It is utterly out of our Power to Comply with, more especially since the furnishing the Expedition sent from England with one of the best Regiments in this Garrison, which leaves us very weak in Effective Force, besides Supplying that Service with all the artillery and ordnance Stores, which could be spared, and the orders from home going only to furnish Troops from hence, in the Way of Exchange for others Imply that this Garrison is not to be weakend, as Indeed It cannot afford to be, in Its Strength, for the Purpose of assisting Expeditions, nor Is the real State of the Garrison such as to make any Diminution of It, prudent, or Safe. It will be well If, in Case of Need, It is found Strong enough in numbers to be equal to the Duties It will be Called upon to perform, not being in fact more than equal to the Duties of the present moment. Besides this any Hope of Victualling Troops going from hence on Service Is in our present distress utterly Vain, and nugatory.

I hope therefore that the Declining to concur with his Lordships Wishes will not be thought Improper, and I have only to add, that I have taken an Opportunity of acquainting His Lordship with the Reasons which prevent this being done. Should more Troops be sent here, sufficient to form a Strength equal to the Idea of a Military *Depot* from whence assistance of this kind may be Conveniently furnished on extraordinary Occasions which, if possible, appears a very desirable Thing such Demands would be answered with Zeal and Pleasure, But, in our present State, It is full as likely that We might Want Succours from India, as that We can be equal to the Sending any thither. It has been Indeed as much as could be done in Complying with the order to exchange an Effective Regiment for an Inefficient one, nor can We even repeat such an Exchange with Safety. I have &c.

(Signed) GEO. YONGE.

[Original.]

Private Letter from SIR GEORGE YONGE *to* WILLIAM
HUSKISSON, ESQRE.

CAPE TOWN, *March 20 1801.*

SIR,—I am obliged to trouble you with another Letter, with the enclosed Paper which by accident was omitted to be sent, being the Grounds on which I have granted the Widow of Mr. Kemble a Pension on this Establishment, equal to what Her Husband had in England, subject to the Approbation of Government, but to Cease, in Case It should not be approved of.

The Case appeared to me a very compassionate one, and the distress very great, and being so strongly recommended I thought It right to grant It ad Interim subject as above.

I will also trouble you, in addition to the other private Letters, to forward the enclosed as directed. I have &c.

(Signed) GEO. YONGE.

(The enclosure shows that Mr. Kemble was an American and a Custom House Officer at New York at the time of the revolution, that in consequence of his loyalty to the king he lost all his property, that he then went to England where he was granted a pension of two hundred pounds per annum, that misfortune overtook him there, that he then removed to Capetown where Lord Macartney gave him the Canteen in the Castle, and that he died suddenly, leaving his widow in penury.)

[Copy.]

Letter from VICE-ADMIRAL SIR ROGER CURTIS *to* VICE-ADMIRAL RAINIER, MAJOR-GENERAL BAIRD, COLONEL WELLESLEY, *or the British Officer Commanding at Batavia. Or if the Armament is met at Sea to the Commanding Sea Officer (if he is in the King's Service) or the Commandant in Chief of the Troops.*

CAPE OF GOOD HOPE, *20th March 1801.*

SIR,—By the American Ship *Hazard* I received yesterday a Letter from the Marquis of Wellesley dated the 26th January

last, relative to his views against the Isle France, and as his Lordship requests I would dispatch an advice Boat to Batavia with every necessary information addressed to Vice Admiral Rainier, Major General Baird, Colonel Wellesley, or the British Officer Commanding at Batavia, I send the *Euphrosyne* Brig with this Letter, she being the only Vessel of the kind subject to my Orders, or indeed by any means attainable at this place. The Marquis when desiring this Vessel to be sent, says he understands that such communication may be made from me so as to reach Batavia previously to the period at which the Expedition may be ready to proceed from thence to the Isle of France. But as I received his Lordship's Letter on the 19th instant, and his Lordship is of opinion the Armament may proceed from Batavia on the 30th it is evident the thing is impossible, as the passage from hence to Batavia will probably be Six Weeks at the least. However as his Lordship says the Armament may possibly be delayed longer, though he thinks not beyond the conclusion of April, if the *Euphrosyne* does not reach Batavia before the Armament leaves it, she will have the chance of falling in with it at Sea, and I therefore dispatch her, and I shall direct her to pursue such route as to make it the most likely; and I particularly wish she may find it at Batavia, or intercept it, as I conceive the matters which will be contained in this Letter of great importance. The *Euphrosyne* will be furnished with the Private Signals sent me by the Marquis Wellesley for making herself known to the Armament, in case of falling in with it.

By a Letter from his Lordship dated the 24th of October last, he first announced to me his intentions of attacking Isle France, and that he should do it in the Month of January last, or in the ensuing Month of May. His Lordship now informs me that circumstances have occurred to prevent the attack being made in January, but that he was resolved to resume the attempt in the Months of April and May; and that the Armament will first proceed to Batavia, and from thence to Isle France.

His Lordship informs me that the Armament to proceed to Batavia will consist of nearly 4500 Men, and that he expects it will probably arrive at Batavia on the 15th of March. That Batavia being captured, and a Garrison appointed to it, his Lordship conceives he may be able to furnish nearly 3,000 Europeans, including Artillery and Pioneers, for the expedition against Isle

France, and his Lordship states that the information he has received from Mr. Charles Stokes, late a Prisoner there, has clearly satisfied his Lordship that the Force abovementioned will be amply sufficient for the reduction of the Garrison of the Island, unless reinforcements have arrived there from France since the 5th August 1800.

In a Letter I addressed to his Lordship the 5th February I informed him the French Government intended to send Monsieur Villaret de Joyeuse to be Governor of Isle France and its dependencies, and that he would take with him a strong Regiment, supposed to be composed of two Battalions, and that Four or Five Frigates would accompany him,—a Line of Battle Ship was also spoken of but not with certainty. An Hambro' Ship which left Isle France about the 15th February was spoken with and gave information that a Frigate and a Privateer had sailed from thence, but said nothing of any Troops having arrived. A Ship being on the point of sailing to India when I got the above intelligence, I informed the Governor General of it: But I have since learnt that both the Ships were bound to Europe with Cargoes.

The *Imperieuse* on her way to this place looked into Port Louis on the 23rd ultimo, but saw no Ship of Force.

I have received no other information than the above relative to Isle France since my Ships left it in October last, and at that time it was in the same state as when Mr. Stokes left it in August.

The Governour General, in his letter to me of the 24th October last, recommends to me a variety of Services to be attended to by my Squadron, and particularly a constant blockade of Isle France, but in reply to that Letter (dated the 17th January) I laid before him the state of the Force under my Command, and the application of it, and I shewed him that with the Ships it was in my power to allow to the Isle of France Service, so little had I the means of a continual Blockade, I was only enabled to have Ships before it for a few Weeks during the whole Year.

The Governour General having in his Letter of the 24th October informed me that if the Expedition against Isle France should not take place in January, it would in May, I said in reply to his Lordship that if it was in my power I would send Two Ships and a Sloop of War to be off the Island by the beginning of May, though by doing so I should leave this Station with only a single

Ship, a thing not a little hazardous in the present posture of affairs in Europe, as a War with Russia, if not with Sweden and Denmark has probably taken place. I nevertheless finally adopted that opinion, but an event took place which occasioned me to alter it, and which I shall now mention, as I have in Letters to his Lordship. In consequence of a determination of His Majesty's Ministers to send an Expedition to the Red Sea, in conjunction with Troops from India, Sir Home Popham in the *Romney*, the *Victor* Sloop of War, and the *Sheerness*, *Sensible*, and *Wilhelmina* Troop Ships, having on board the 65th Regiment, sailed from England in December, the 65th Regiment to remain here, and the 61st to be embarked in its room. Sir Home Popham with the *Romney* and the *Sensible* arrived here first, the Sloop and the two other Troop Ships afterwards. The two last having come in very sickly both in the Troops and Ships' Companies, and as delay must necessarily result therefrom, and Sir Home being apprehensive that the Forces from India would be at the place of Rendezvous before him, and which I understood to be Aden on the Coast of Arabia, he in the *Romney*, the Sloop of War, and the *Sensible* with her proportion of the 61st Regiment on board, a Storeship and a Tender, sailed from hence on the 28th Ultimo, the other Troop Ships with the remainder of the 61st Regiment being to follow as soon as the Ships are so purified as to be fit to receive the Men, which I am sorry to say is not yet the case.

The arrival of this Armament determined me after mature consideration not to send the Ships off Isle France, for the following reasons: The Marquis of Wellesley having informed me "that the success of his Enterprise against Isle France must principally depend on sudden and secret execution," I was sensible my Ships could not in any manner go off the Island without putting the Governour on his Guard; for, if they cruized off Port Louis as usual, and did not admit the cordial and frequent intercourse by Flags of Truce as heretofore, that very circumstance would awaken his vigilance; and if intercourse was allowed, it would be impossible but he would become informed of the Armament that had arrived here, and that fact would occasion his being prepared against surprise. If the Ships instead of being stationed near the Island were to be posted towards Rodriguez, it could by no means be expected that some Vessels would not escape them and get into Isle France, and the knowledge of their being there

would most assuredly alarm the Governour, for it being a station different from those usually taken by the Ships, and where they have little chance of making Prizes, it would be at once thought they were there for some other important purpose, and an attack on the Island would doubtless be apprehended, and suitable measures would be taken accordingly. I have in a Letter to the Governour General, dated the 9th instant, entered into a detail of my reasoning on this subject.

The Governour General in his last Letter to me states that he expects to furnish for the Expedition against Isle France a Force which will consist of nearly 3,000 Europeans, including Artillery and Pioneers; and that the information he has received from Mr. Stokes, lately a Prisoner there, has satisfied him that this Force will be amply sufficient for the reduction of the Garrison of the Island, unless Reinforcements shall have arrived from France since the 5th of August last. To which I have only to observe that I have endeavoured to procure information relative to the strength of Isle France, and I wish it may prove that the Force abovementioned may be found sufficient.

The Governour General informs me he has given positive Instructions to Colonel Wellesley to proceed with all possible expedition from Batavia to Isle France, without waiting for previous advices from me. And intimates his expectation that I should afford my cooperation with the most respectable Force I can apply to the Service. I have but two Ships and a Sloop with me, except the *Imperieuse*, which arrived yesterday from Amboyna, and I cannot be justified in the present situation of affairs in sending away from the Colony every Ship belonging to it. I will however as soon as possible dispatch a Ship to Cruize off Rodriguez, with a view of intercepting the Armament in its way from Batavia to Isle France, and by which Ship I shall send a duplicate of this Letter; and her Commander will be put in possession of the Private Signals, as well as the *Euphrosyne*. And here I cannot avoid expressing how sincerely I lament that before an Expedition of so much importance was undertaken, and for the furtherance of which dependence has been had on measures to be taken by me, and now lastly cooperation expected, His Excellency had not previously acquired the knowledge of Ships I had under my Command, the Services upon which they must necessarily be employed, and in what degree it would be in my power to assist his views. And

I the more particularly lament it, as his Excellency at the time of his last writing to me, was uncertain whether the Armament would be accompanied from Batavia by any force from Vice Admiral Rainier, and that he might possibly find himself compelled to resort to the Company's Armed Ships even for Convoy to the Transports.

His Excellency the Governour General in his Letter to me of the 26th January says, it will be advisable I should convey from the Cape of Good Hope, for the purpose of cooperating with the Troops from India, as large an European Detachment, particularly of Artillery, as it may be in the power of His Excellency the Governour of the Cape of Good Hope to afford for that Service. Upon this subject I had a conference with Sir George Yonge, and delivered to him a Letter from the Governour General, but the Governour of the Cape declared the impossibility of sparing any Troops from hence.

The Governour General in the conclusion of his Letter to me abovementioned, recommends an Embargo on the Ports of the Cape Government in case Troops were embarked at this place, to prevent any suspicions at the Isle France. This precaution, with the same view, was taken at my suggestion upon the arrival here of the Armament of Sir Home Popham, and now continues, though I recommended the Embargo upon general principles, and did not disclose the design against Isle France, in reference to which I the more particularly thought the measure necessary.

In the Letters I have written to His Excellency the Governour General upon the subject of Isle France, I have called to his recollection that the Island does not produce any thing like Food sufficient for its Inhabitants, and I have in the most serious manner assured his Lordship, that if the Island is taken possession of, the Garrison to be left for its defence cannot be supplied with Provisions from this Colony, but must be Fed from India. We are at this moment in the most critical situation in respect to Bread, for though every person in the Colony is at an allowance of a pound a day, and Barley Meal is mixed with the Flour of Wheat, and Rice Three days in the Week used in the room of Bread, yet with all these precautions and restraints, in which the Navy and Army is comprehended, we have not wherewithal to make Bread, or a substitute to use as Bread, to last us beyond the middle of August, which is full five months before the next

Harvest will be got in. I have ventured to suggest to the Governour General the necessity there will be, that upon the surrender of the Island, the most prompt and efficacious measures should instantly be adopted to procure an ample supply of Provisions for the Garrison to be left upon it: I presumed to say that I thought a sufficiency for a year at least was requisite, and that the quantity in Store should never be suffered to be less than victualling for the Garrison for Six Months.

In my Letter to His Excellency the Governour General relative to Isle France, I have from the knowledge I have acquired respecting the Island, taken the liberty to impress as forcibly as possible on his mind the indispensable necessity I conceived there would be, for various evident reasons, to appoint a very strong Garrison for its defence. The importance of it to France is such that the most strenuous effort will certainly be made to recover it; and I conceive that whatever may be the disposition of certain of the Inhabitants, the most numerous classes will assist the Enemy in again obtaining possession of it. All those concerned in Privateering, and who are the most active and determined on the Island, will naturally do so, because their means of obtaining riches, or of subsistence, will be taken from them while the Island is under the Dominion of England. The Slaves too, a very considerable number of whom are, as I am told, well trained to Arms, will also naturally assist the Enemy in recovering the Island, because they continue to hope the Laws made in France for their emancipation will sooner or later be carried into effect, and which they cannot hope for under the British Government. To these two classes may be added those of every description who profess Republican Principles. And upon the whole, from what I have learnt of the strength of the Island, and in what manner it must be defended, under the circumstances above described, I should really think the Garrison ought not to be less than the Number his Excellency the Governour General of India has assigned for the Conquest of it. I have, &c.

(Signed) ROGER CURTIS.

[Original.]

Letter from VICE ADMIRAL CURTIS to EVAN NEPEAN, ESQRE.

CAPE OF GOOD HOPE, 21st March 1801.

SIR,—I am now to state to you for their Lordships' information the circumstances relative to my Command since my Letter of the 20th of last Month.

The *Victor* Sloop of War arrived here the 14th ultimo, and the *Sheerness* and *Wilhelmina* Troop Ships the 26th following. I am very sorry to acquaint you the two latter came in in a sickly state, both of the Troops on board and the Ships' Companies. The disease is the Ship Fever, and I learn from the Commanders of these Ships that it had made its appearance before they left England, some men having been landed there afflicted with it, and also some at Madeira. In justice to the Commanders of the Ships and the Officers of the Troops, I must state that no neglect appears to have occurred in their conduct; but the parts of the Ships allotted for the Troops were much filled with a great number of Chests of Arms and Baggage, which prevented due ventilation and that degree of cleanliness which would otherwise have been observed. The *Sheerness* had out of the Three Hundred Chests of Arms embarked in the Three Troop Ships, One Hundred and Fifty of them, which covered the whole surface of the lower Deck assigned to the Troops, and accounts for her being more sickly than the *Wilhelmina*. In the *Sheerness* there died on the passage

Of the Ship's Company	.	.	.	.	3
Of the Troops	.	.	.	.	52
Women	.	.	.	.	2
Children	.	.	.	.	6
Total	.	.	.	.	63

In the *Wilhelmina*

Of the Ship's Company	.	.	.	.	2
Of the Troops	.	.	.	.	12
Children	.	.	.	.	2
Total	.	.	.	.	16

A great number of both the Ships' Companies are in the Hospitals. Having too often had occasion to use means for eradicating this Fever in Ships, I am putting in practice the most approved methods of purifying the *Sheerness* and *Wilhelmina* that they may be rendered fit to receive the Troops which are to be embarked in them, and their Lordships may be assured that not a moment's delay more than unavoidable to give confidence the Troops may not be infected shall occur.

However, from what I have learnt of the periodical Winds to the Eastward of the Cape, these ships will not be able to reach the place of their destination for some time were they ready to sail this moment, as the S.W. Monsoon, which is about to set in in India, will when they arrive at a certain point be adverse to them. But be that as it may, they shall not be detained here longer than absolutely necessary for the Health of the Troops that are to go in them. General Dundas and I have together visited these Ships, attended by the Physician of our Hospital, and we concur in opinion in all respects upon this subject. The *Sheerness* is the nearest being ready, and General Dundas and I agree in opinion to send her away with the proportion of Troops allotted to her as soon as it shall be possible. Very few of her Crew will be able to go in her, and I shall be under the necessity of manning her, and also the *Wilhelmina*, from the Ships in Port of my Squadron, a measure I should only resort to in a case of the utmost urgency.

Sir Home Popham with the *Sensible* Troop Ship, the *Victor* Sloop, a Store Ship hired here, and a Tender he purchased, sailed from hence on the 28th ultimo; a small Coppered Transport taken up here to carry the Field Artillery, Ammunition, Hospital Stores, &c. sailed also with him, but he was forced to send her back to take in more Ballast and to follow with the *Sheerness* and *Wilhelmina*; and for the guidance of the Commanders of these Ships he has left Instructions with me.

At midnight on the 11th instant a Fire broke out in a house close to our Principal Store House, which threatened the destruction of everything belonging to us, but it was happily extinguished without doing more damage than consuming a small quantity of Naval Bedding, and considerably injuring the House where it began.

The *Imperieuse*, in consequence of an Order from Vice Admiral Rainier dated the 11th August last, arrived here on the 18th

instant from Amboyna, which place she left on the 4th December, but after she passed the Island of Timor, having met with Westerly Winds instead of the S.E. Monsoon which was expected, she was obliged to repair to Bencoolen to get a supply of Provisions, from whence she sailed on the 1st of the last Month.

In my Letter of the 12th January I mentioned the circumstance of the Ship *Chesterfield* having been brought to this Bay by the *Diomedé*. The proceedings in the Vice Admiralty Court respecting that Ship are still undetermined. And Captain Elphinstone having preferred charges against the Commander and Supercargo for holding a Treasonable correspondence with the Enemy, it has been determined to Try them by a Court of Piracy, under the Acts of the 11th & 12th of William 3rd and 18 George 2nd. The Court will proceed to business on Monday next.

We are in the most critical situation in respect to Bread, and a Special Commission of which General Dundas and I are Members has been appointed by the Governor, to take all possible measures to prevent, if it can be done, the actual privation of that Article. Every grain of Wheat and Barley in the Colony is taken an account of, and I am sorry to say it appears, that though all grown persons are confined to one pound per day, and Children of all ages proportionably less, and that though Barley Meal is mixed with the Flour of Wheat, and using Rice as a substitute for Bread three days in the Week, we shall by the middle of August be totally without Bread, or anything to use as a substitute for Bread, unless some of the Vessels that have been dispatched to India and to the Brazils for Rice or Corn arrive before that period. And from the Month of August to the time when the Grain of our next Harvest will be attainable, will be full Five Months. I am, &c.

(Signed) ROGER CURTIS.

[Original.]

Letter from CAPTAIN C. ELPHINSTONE *to the* RIGHT HONOURABLE
HENRY DUNDAS.

Diomedé, TABLE BAY, CAPE OF GOOD HOPE,
the 23rd March 1801.

SIR,—I have the honour to acquaint you that during the Execution of Orders I received from Sir Roger Curtis, Baronet, Vice Admiral of the White, and Commander in Chief of His Majesty's Ships and Vessels at the Cape of Good Hope, I fell in with and detained the *Chesterfield*, Letter of Marque, in the River of Plate carrying on an illicit and nefarious Trade with the Enemy, and part of her Crew corresponding with him in a treasonable and traitorous Manner, I brought her to this place in order to take advantage of a Convoy that might conduct her to England in safety, for the Adjudication of the Court of Admiralty, and to bring the Offenders to Justice; thinking at that Time there was no Tribunal competent to take cognizance of these Offences in this Colony; but the Vice Admiralty Court having seized the Ship with a determination to pass Judgement upon her, and His Excellency the Governor having acquainted me that he is invested with authority to assemble a Tribunal capable of taking Cognizance of the Offences committed by her Crew, my original Intention has thus been frustrated.

Under a Decree of the Vice Admiralty Court the Captain and Supercargo of her have been allowed to communicate on Shore with their Proctors, being at those times always attended by an Officer from the *Diomedé*, until the 8th Instant when they liberated themselves, and were on the 12th admitted to bail, and put on Parole by His Excellency the Governor, notwithstanding an Affidavit I made before him in which I represented it as my belief that they would make their escape; this produced the Letter No. 1, which I have the honor to enclose to you, No. 2 is His Excellency's Answer to it, and No. 3 my Reply.

The Ship alluded to in the last Letter is on the Point of Sailing if not actually under weigh; I have it not therefore in my Power now to enter more fully into this Matter, but only request that your Judgement may be suspended until such Time as I have an Opportunity of placing this Affair in its proper Light.

As my sole inducement for taking the Measures I have done in this business arose from being conscious that I should have neglected my duty had I acted otherwise, I remain fully confident of your approbation; and having gratefully to acknowledge your Protection on former occasions I have the greatest Reason to hope that you will not withdraw it at this Juncture. I have &c.

(Signed) C. ELPHINSTONE.

[Enclosure 1 in the above.]

[Copy.]

Letter from CAPTAIN ELPHINSTONE *to* SIR GEORGE YONGE.

*Diomedé, TABLE BAY, CAPE OF GOOD HOPE,
15th March 1801.*

SIR,—The very distressing Situation Your Excellency has driven me into, in consequence of the mode of proceeding you have adopted respecting the Persons accused by me of treasonable and traitorous Correspondence with the Enemy, requires that Your Excellency should be a little more explicit than you have hitherto been upon this Subject.

I thought in an early Stage of the Matter these persons were not amenable to a Court of Piracy, but Your Excellency, differing with me on this Point, and requiring me to appear before you to give the necessary Information for the Apprehension of the Offenders, you have surprised me beyond measure in accepting bail for an Offence which I am advised does not admit of it, and that too, in a manner both illegal and unprecedented, at any rate Your Excellency will please to observe that the Sureties Messrs. Walker & Robertson are persons engaged too intimately with the Offenders to be entitled to Your Excellency's Confidence, and Your Excellency is no stranger to the Prosecution carrying on against them in the Court of Vice Admiralty for an illicit and nefarious Trade with the Enemy by means of this very Ship *Chesterfield*; there are many other Circumstances equally incomprehensible to me, and I must therefore request in writing a specific Explanation of Your Excellency's intentions respecting the Prosecution you have proposed to make, in order that a matter clear and simple in its

nature may not be rendered difficult and complicated by any further partial Investigation of it, or the ends of Justice be thereby defeated.

The little respect Your Excellency was pleased to pay to the Oath made by me respecting the necessity of apprehending the Offenders that I did then, and do now, suspect of absconding, absolves me from any further importuning Your Excellency on that head, and if in this Part of the business, or any other, irregularities should be repeated, I disclaim every responsibility, and conclude by declaring that I have been, and am ready, to prosecute at any time, and before any Court, that shall appear to have competent Jurisdiction.

This I conceive to be my duty and I now leave it to Your Excellency to do yours. I have etc.

(Signed) C. ELPHINSTONE.

[Enclosure 2 in the foregoing.]

[Copy.]

Letter from SIR GEORGE YONGE to CAPTAIN C. ELPHINSTONE.

CAPE TOWN, *March 21st 1801.*

SIR,—I received a Letter from you a few days ago, the Language and Subject of which have laid me under some difficulty to determine what it was my duty to do in consequence. But, conceiving it might be regarded as a want of Attention in me towards you not to send you an Answer, and that it would be improper to let you remain unacquainted with my final determination upon it, I have now the honor to inform you, That regarding the Letter as an Official Charge against me for a very serious Neglect of my Official Duty, by which the due Administration of Justice would, in your Apprehension suffer, I have balanced in my Mind in what way such a Charge could regularly be, on the one hand, brought forward and supported, or on the other denied and refuted, and, in the End, knowing of no Tribunal in this Colony before which I can be officially amenable, yet thinking such a serious Charge ought not to pass unnoticed, I have finally determined to send your letter home, in order, that if Government thinks proper, such

directions may be given at home, on the Subject as shall be thought proper, and I have now only to apprize you of my having done so, accordingly. I have &c.

(Signed) GEO. YONGE.

[Enclosure 3 in the above.]

[Copy.]

Letter from CAPTAIN C. ELPHINSTONE *to* SIR GEORGE YONGE.

CAPE TOWN, 22nd March 1801, AT 9 P.M.

SIR,—It is only within these few hours that I have had the honor of receiving Your Excellency's Letter, although dated Yesterday; but as the *Coromandel* has not yet sailed I congratulate myself on having it in my power to transmit to His Majesty's Ministers the proper Statement to enable them to judge of the propriety of my Conduct throughout the whole of this Affair, and that too by the same Ship which I presume conveys the Letter Your Excellency informs me you have sent; and however much I regret the Impression my representation has made upon Your Excellency's feelings, yet as I certainly meant nothing but the faithful discharge of the duty I owe to the trust reposed in me by my Country, I cannot help being convinced Your Excellency upon mature deliberation has seen it in the same light, since the Persons in Question have now been placed, in consequence, in perfect Security to be made amenable to public Justice.

I have &c.

(Signed) C. ELPHINSTONE.

[Copy.]

Instructions to the Commanders of Our Ships of War and Ships Commissioned with Letters of Marque Given at Our Court of St. James the 25th day of March 1801 in the forty-first Year of Our Reign.

Whereas it may be expedient to permit an Exportation from the Cape of Good Hope of the Goods, Wares, Merchandize and Manufactures of the United Kingdom of Great Britain and Ireland

and of the Cape of Good Hope from the Cape of Good Hope to the Spanish Settlements in South America; And Whereas in the present state of Hostilities between Great Britain and Spain the said Trade cannot be carried on without Our special permission for that purpose, We by and with the advice of Our Privy Council authorize Our Governor of the Cape of Good Hope or, in his absence, the Lieutenant Governor thereof, or Commander in Chief for the time being, to grant Licenses subject to such Conditions, Rules, Regulations, Restrictions, Penalties & Forfeitures as to Him shall seem meet, to any of Our Subjects, to import in vessels belonging to the United Kingdom of Great Britain and Ireland navigated according to the Laws now in force, or in vessels belonging to the said Settlement, or in Neutral or Spanish vessels, into the said Settlement of the Cape of Good Hope, Bullion, Coined Money, or Goods & Commodities being the growth and production of any of the Colonies or Plantations in America belonging to the Crown of Spain, and to export from the said Settlement of the Cape of Good Hope to the said Spanish Settlements in America all Goods, Wares, Merchandize and Manufactures, the growth, produce or Manufacture of the United Kingdom of Great Britain and Ireland, and also all Goods, Wares, Merchandize and Manufactures which shall have been legally imported, except Naval and Military Stores. And We do hereby require and enjoin the Commanders of our Ships of War and of Ships Commissioned with Letters of Marque, not to detain or molest any vessels belonging to the United Kingdom of Great Britain & Ireland, or vessels belonging to the said Settlement of the Cape of Good Hope, or Neutral or Spanish vessels trading between the Cape of Good Hope and the Spanish Colonies in America, provided they are bonâ fide employed in carrying on their Trade conformably to the Regulations herein above described & have a Licence for that purpose from Our Governor of the Cape of Good Hope for the time being or in his absence the Lieutenant Governor or Commander in Chief thereof for the time being. And in case such ships so licensed should be captured and brought into any Port through misapprehension or breach of Our Order, Our Courts of Admiralty are hereby required to liberate the same as being under the protection of Our special Commission.

By His Majesty's Command.

(Signed) HOBART.

[Office Copy.]

*Letter from WILLIAM HUSKISSON, ESQRE., to MAJOR
GENERAL DUNDAS.*

DOWNING STREET, 31 March, 1801.

SIR,—I transmit to you herewith, by Direction of Lord Hobart, a Copy of His Majesty's Order in Council of the 11th Ultimo, authorizing a Commercial Intercourse between the Cape of Good Hope and its Dependencies and the Spanish Settlements in South America under certain Restrictions, and I am directed by His Lordship to desire you will cause the same to be made public in order that all those who may desire to avail themselves thereof may be at liberty to do so. I also transmit to you a Copy of The King's Instructions to all the Commanders of His Majesty's Ships of War, and Ships commissioned with Letters of Marque, to prevent any Impediment by His Majesty's Cruizers to the Success of the above Measure. I have &c.

(Signed) WM. HUSKISSON.

[Original.]

*Letter from MAJOR GENERAL DUNDAS to the RIGHT
HONOURABLE HENRY DUNDAS.*

CAPE OF GOOD HOPE 31st March 1801.

SIR,—Having communicated to you in my letter of the 24th Ult^o. the embarkation of a detachment of His Majesty's Troops at the Cape on board His Majesty's Ships *Romney*, *Sensible*, and *Victor* Sloop a part of the Squadron which lately arrived here from England under the command of Sir Home Popham, I am now to have the honor of acquainting you that the Ships with the forementioned Detachment consisting of One Troop of the 8th Regiment of Light Dragoons, One Company of the Royal Artillery and three Companies of the 61st Regiment of Foot sailed from hence on the 28th Ult^o.

The two Ships *Sheerness* and *Wilhelmina* being the rest of the

Squadron commanded by Sir Home Popham having a part of the 65th Regiment on board them arrived in Table Bay on the 27th of February the day before the sailing of the division of Sir Home Pophams Squadron and the part of Colonel Auchmuty's Detachment which has been already mentioned.

I am sorry to inform you that the Troop Ships *Sheerness* and *Wilhelmina* have arrived here in a sickly state, above Fifty of the Soldiers of the 65th Regiment with some of the Crews having died on board during the Voyage from Europe, and owing to its having been found extremely difficult to eradicate the distemper which unfortunately continued to prevail amongst the seamen of the *Sheerness* and *Wilhelmina* for some time after their arrival here the embarkation of a part of the Troops destined for the Expedition under Sir Home Popham and Colonel Auchmuty has been on this account unavoidably delayed.

The remainder of Colonel Auchmuty's Detachment, after every possible exertion was used to render the Ships fit to receive the Troops, could not be embarked until the 26th Instant as the Vessels were not judged to be sooner in such a state as to render advisable or safe the permitting the Troops to go on board them, however I have to report that the *Sheerness* & *Wilhelmina* with the remaining seven Companies of the 61st Regiment sailed yesterday for the appointed Rendezvous and place of their destination.

In consequence of the orders I had the honor to receive from His Royal Highness the Duke of York the Detachment under the Command of Colonel Auchmuty has been provided with their proportion of Field Artillery as well as with every other article necessary for the service, both officers and men being I am happy to add in high Spirits and the Corps in general in excellent and serviceable condition.

I do myself the honor of transmitting herewith enclosed a Copy of the Embarkation Returns of the forementioned Corps detached from this Garrison having acknowledged by a former opportunity the receipt of the Instructions relative to it which I received through your letter from London dated the 29th of October last.

A Copy of the Disembarkation Return of the 65th Regiment which has arrived at the Cape in order to replace the 61st Regiment is likewise enclosed judging it proper to transmit the same to you for enabling you to know the real condition of the 65th which though composed of a stouter and apparently a better class of Boys

than the two Boy Regiments the 22nd & 34th which arrived here last year yet the 65th Regiment is by no means in a serviceable state at present nor will it be expedient to employ them for some time to come in the performance of any very active or important military duty. I have &c.

(Signed) FRANCIS DUNDAS.

[Enclosure A.]

Embarkation Return of a Detachment embarked at the Cape of Good Hope under the Command of Colonel Auchmuty:—

24th February 1801. In *La Sensible*, 8th Light Dragoons 5 Officers, 4 Sergeants, 1 Drummer, 75 Rank and File, 5 Women, 3 Children.

24th February 1801. In the *Sea Nymph*, Royal Artillery 2 Officers, 2 Sergeants, 1 Drummer, 46 rank and File.

24th & 25th February 1801. In *La Sensible*, 61st Regiment 12 Officers, 14 Sergeants, 8 Drummers, 250 Rank and File, 10 Women, 8 Children.

27th March 1801. In the *Sheerness*, 61st Regiment 16 Officers, 21 Sergeants, 6 Drummers, 326 Rank and File, 17 women, 17 Children.

27th March 1801. In the *Wilhelmina*, 61st Regiment 14 Officers, 19 Sergeants, 8 Drummers, 300 Rank and File, 19 Women, 22 Children.

Total: 2 Lieut. Colonels, 2 Majors, 11 Captains, 20 Lieutenants, 8 Cornets & Ensigns, 1 Paymaster, 1 Adjutant, 2 Quartermasters, 1 Surgeon, 1 Assistant Surgeon, 60 Sergeants, 24 Drummers, 992 Rank and File, 51 Women, 50 Children.

[Enclosure B.]

State of the 65th Regiment when embarked and disembarked.

Embarked 21st October 1800: 2 Majors, 5 Captains, 13 Lieutenants, 4 Ensigns, 1 Adjutant, 1 Paymaster, 1 Surgeon, 2 Assistant Surgeons, 20 Sergeants, 39 Corporals, 17 Drummers, 793 Privates.

Disembarked 14th & 27th February 1801 : 2 Majors, 5 Captains, 13 Lieutenants, 4 Ensigns, 1 Adjutant, 1 Paymaster, 1 Surgeon, 2 Assistant Surgeons, 19 Sergeants, 37 Corporals, 16 Drummers, 707 Privates.

Left sick and deserted at Deal 1 Drummer, 20 Privates. Left sick at Madeira 8 Privates. Died on the passage 1 Sergeant, 2 Corporals, 58 Privates.

[Office Copy.]

Letter from the RIGHT HONOURABLE LORD HOBART *to*
MAJOR GENERAL DUNDAS.

DOWNING STREET, 7th April 1801.

SIR,—A Representation has been made to me by the Court of Directors of the East India Company upon the subject of the Impediments which have arisen in the Supply of Articles, the Produce of Countries to the Eastward of the Cape necessary for the supply and consumption of that Settlement.

The Collection of Papers upon this subject, herewith transmitted, will explain to you the arrangements entered into with the Court of Directors for furnishing regular Supplies of the Articles above mentioned and the mode suggested by the Court for carrying it into effect by means of their Agents at the Cape.

In order to obviate the difficulty and embarrassment which has been created by the Interference of the late Governor of the Cape upon this point, it becomes expedient that you should take immediate steps for replacing this matter upon the footing originally settled in the Correspondence between Mr. Dundas and the Chairman of the Court of Directors, it being intended that all Articles of the above description imported according to the Indents transmitted to India or China for that purpose, by the Company's Agent, and consigned to Him, should be permitted to be landed and sold at the Cape, as well as any Goods equally the Produce of the Countries to the Eastward of the Cape which the Company might find it necessary to supply from England or from St. Helena, in the case of their not being able to furnish the Indents direct from India. I have, &c.

(Signed) HOBART.

[Office Copy.]

Letter from the RIGHT HONOURABLE LORD HOBART *to* MAJOR
GENERAL DUNDAS.

DOWNING STREET, 16th April 1801.

SIR,—It is with peculiar satisfaction I enclose to you Copies of an Extraordinary Gazette published Yesterday Evening containing an account of the important and brilliant Victory obtained by His Majesty's Fleet over the Danish Fleet before Copenhagen on the 2nd of this Month. I most heartily congratulate you on this additional Glory to His Majesty's Arms. I am, &c.

(Signed) HOBART.

[Original.]

Private Letter from SIR GEORGE YONGE *to* WILLIAM
HUSKISSON, ESQRE.

CAPE TOWN April 16, 1801.

DEAR SIR,—The last Letters of any kind from Government are of the 26th Sept^r. when I was bid to expect other Dispatches of Importance, but none have come. However understanding from private Letter that I am to have a Successor I am packing up & preparing to depart when He comes, which I look for next Month, and I have only to beg that an order may be given for my Baggage & Stores and that of my Suite to be landed without Molestation.

I am &c.

(Signed) GEO. YONGE.

[Copy.]

Proclamation by His Excellency SIR GEORGE YONGE, Baronet; Knight of the most Honorable Order of the Bath; One of His Majesty's most Honorable Privy Council; Governor and Commander in Chief of His Majesty's Castle, Town, and Settlement of the Cape of Good Hope, in South Africa, and of the Territories and Dependencies thereof, and Ordinary and Vice Admiral of the same.

Whereas I have this day received official dispatches from England, informing me, that His Majesty has thought proper to appoint the Right Honorable Lord Glenbervie to succeed me in the Government of this Colony; and likewise His Majesty's gracious permission for me to return to Europe, without waiting for the arrival of my successor; with instructions for me immediately to vest the power and authority of the Governor of this Colony in the hands of Major General Francis Dundas, Lieutenant Governor of the same, until the arrival of Lord Glenbervie: All persons are therefore hereby called upon and commanded, from the date of these presents, to obey all orders and commands that may from time to time be issued by the before mentioned Major General Francis Dundas, in like manner as coming from the actual Governor of this Colony.

Given under my Hand and Seal, at the Castle of Good Hope, this 20th Day of April, 1801.

(Signed) GEORGE YONGE.

By Command of His Excellency the Governor and Commander in Chief.

(Signed) A. BARNARD, Secretary.

[Copy.]

General Order.

20th April 1801.

Major General Dundas having this day received a Letter from His Majesty's Secretary of State directing him to take charge of the Government of this Colony until such time as Lord Glenbervie,

appointed to succeed His Excellency Sir George Yonge as Governor of the Cape, should arrive, it is the Lieutenant Governor's intention to take the Oaths of Office tomorrow morning at 11 o'clock in the Castle, and it is hereby signified that all military honors due to the Major General as Acting Governor will be received by him until further orders.

[Copy.]

Advertisement.

Whereas His Honor Major General Dundas, Lieutenant Governor of this Settlement, Commandant of His Majesty's Troops, has received a letter from the Right Honorable Henry Dundas, one of His Majesty's principal Secretaries of State, directing him to execute the duties of Governor of the Cape of Good Hope, until the arrival of Lord Glenbervie, who has been appointed the successor of His Excellency Sir George Yonge.

Notice is hereby given that His Honor Major General Dundas, Lieutenant Governor &c. in pursuance of His Majesty's commands, has taken upon him the Government of this Settlement accordingly, and that it is His Honor's intention to take the usual oaths tomorrow at Eleven o'clock in the fore-noon, at the Castle, when the different Colleges and all Officers, Civil and Military, are required to attend to witness the solemnity.

Castle of Good Hope, 20th April 1801.

(Signed) A. BARNARD, Secretary.

[Original.]

Letter from VICE ADMIRAL CURTIS to EVAN NEPEAN, ESQRE.

CAPE OF GOOD HOPE, 23rd April 1801.

SIR,—I am now to detail to you for the information of the Lords Commissioners of the Admiralty the Naval occurrences on this Station since my Letter of the 21st ultimo.

Having sent you a Copy of the Letter dated the 26th January

last, which I received from the Marquis of Wellesley the Governour General of India, their Lordships will perceive that the Marquis, in the 17th Paragraph of that letter, desires I would dispatch without delay an Advice Boat to Batavia for the purpose therein mentioned. I accordingly ordered the *Euphrosyne* Brig upon that Service, but she having met with a very heavy Gale of Wind on the Eastern extremity of the Bank of Anguillas, sprung her Bowsprit so dangerously she was obliged to return to this place after having been at Sea a Fortnight. Their Lordships will see by the Letter with which the *Euphrosyne* was charged that I had great doubts of her being able to reach Batavia time enough to answer the purpose the Marquis hoped for, but the accident she met with putting it beyond all doubt, I did not send her on the Service a second time.

In consequence of what the Marquis of Wellesley stated to me in the 11th paragraph of his Lordship's aforesaid Letter of the 26th January, I availed myself of the arrival here of the *Imperieuse*, and having made her ready for Sea as fast as possible, I sent the *Diomedé* and her with suitable Instructions to cooperate, if it should prove possible for them so to do, in the Expedition his Lordship has undertaken, and they sailed from hence upon that Service on the 7th instant. I thought the circumstances of the case justified my sending these Ships, though I thereby divested the Colony of every Ship excepting the *Adamant*.

In my letter of the 21st of the last Month I informed you of the state of the *Sheerness* and *Wilhelmina* Troop Ships. I paid the most unremitting attention to getting these Ships ready to receive the Troops destined to be embarked in them, and causing the Ships and such of their Crews as had not gone to the Hospital to be inspected by the Chief Surgeon of the Naval Hospital, accompanied with the Medical Gentlemen who were to proceed with the Troops, upon their Reporting to General Dundas and me their opinion, the Troops might safely be put on board, they were embarked accordingly, and the Troop Ships and also the Transport which put back, as mentioned in my Letter of the 21st March, sailed from hence on the 30th of the same Month.

Many of the Crews of the *Sheerness* and *Wilhelmina* being then ill of the Fever at the Hospital, I was under the necessity of completing their Complements from the *Adamant* and *Diomedé*.

The *Tremendous* and *Star* arrived here on the 10th instant from

off Rio de la Plata, after an absence of Seven Months, and I am sorry to add without having made any Prizes. They have been at the Island of St. Catherine's on the Coast of Brazil, to which place they went for a supply of Water, and where by making light the *Star* her principal Leaks were discovered and stopped. The *Main* Mast of the *Tremendous* became again much crippled while she was absent. It was taken out yesterday, and I am fearful we shall be under the necessity of making a new Mast. The *Tremendous* is also become very leaky, and as she continues to make as much Water now in Port, and light, as when at Sea, I am afraid the Leaks are in the lower part of her bottom where we cannot get at them; but every thing practicable shall be done to put her again as speedily as possible into a state for Service.

The present Disposition of my Ships is as undermentioned :

The <i>Tremendous</i>	}	In Simons Bay.
<i>Adamant</i>		
<i>Rattlesnake</i>		
<i>Star</i>		
<i>Euphrosyne</i> Brig	}	Upon the Service alluded to in the foregoing part of this Letter.
<i>Diomede</i>		
<i>Imperieuse</i>		
<i>Lancaster</i> . . .		
<i>Jupiter</i> . . .		Gone to relieve the <i>Lancaster</i> .

In my Letter of the 21st ultimo I have mentioned the great apprehensions we were under relative to our suffering a want of Bread, and that from the nicest investigations which could then be made, it was believed we should be Five Months without that Article of Provision. Every Farm in the Colony has since been authoritatively visited, and a most accurate account taken of all the Grain, and it now appears we may, with the precautions mentioned in my Letter abovementioned, be able to go on Two Months longer than was imagined when that Letter was written. I nevertheless hope their Lordships will send at least the Five Hundred Thousand Pounds of Bread I solicited, for as we are unable to get any stock of Bread before hand, His Majesty's Service may greatly suffer in the event of any unusual call upon us, and which was nearly the case respecting the demands made on us by Sir Home Popham's Armament, which deprived us of all the Bread I had during a whole Year been labouring to get before-

hand in Store, nor did my whole Stock suffice for these Ships, as I was obliged to give them half Bread, and half Rice as a substitute for Bread. I have before signified to you that Rice and Flour for the supply of this Colony had been sent for from India and the Coast of Brazil, but none has yet arrived. * * * I am &c.

(Signed) ROGER CURTIS.

[Original.]

*Letter from MAJOR GENERAL DUNDAS to the RIGHT HONOURABLE
HENRY DUNDAS.*

CAPE OF GOOD HOPE 25th April 1801.

SIR,—I have the honor to acknowledge the receipt of your letter dated the 14th of January last inclosing a copy of a letter written to Sir George Yonge directing him to resign the Government of the Cape of Good Hope into my hands, and having immediately communicated on the 20th Instant to Sir George Yonge the order which I had received, His Excellency was pleased to direct the inclosed proclamation No. 1 to be issued investing me with the necessary powers for executing the duties of Governor of the Cape until the arrival of Lord Glenbervie appointed His Excellency's Successor; and I am further to add that in pursuance of His Majesty's Commands as signified to me by you the usual oaths were taken by me on the 21st Instant as acting Governor here until the arrival of Lord Glenbervie the notice inclosed No. 2 being previously given for all Officers Civil and Military to witness the same. I have &c.

(Signed) FRANCIS DUNDAS.

[Original.]

*Letter from SIR GEORGE YONGE to the RIGHT HONOURABLE
HENRY DUNDAS.*

CAPE TOWN April 25, 1841.

SIR,—On the 19th Instant I had the Honor to receive your Dispatch of the 14th January last announcing to me His Majesty's Pleasure, That I should no longer Wait the arrival of my Successor, but avail myself of the first Opportunity of returning to England, and bring with me all such Documents which I should think necessary to lay before Government.

The Dispatches having been landed in the Evening, I sent to Desire M. General Dundass attendance the next morning when I communicated my Intention to resign the Government to Him as soon as the Official Documents could be made out, which I hoped would be in the Course of a Day or two, and I would lett him know in the Course of the Day how soon they could be ready as I had Sent to the Secretary of the Colony for that Purpose.

The General Informed me He had received Similar orders and would be ready, as soon as ever He heard from me, But I was extremely Surprized to learn that within an Hour after without waiting, and without my Knowledge, He had issued the Enclosed General Orders.

As there was, as yett, no Vacancy, I was alarm'd at the Effect which might arise from this kind of Separation of Civil and Military Authority, and of an Assumption of Government before the Garrison alone without a regular Resignation having taken Place, But the Measure having been thus adopted, without a Possibility of Its being Prevented, I took the best means in my Power to Obviate the Evil and by Official Exertions at the Secretary's Office, I was fortunate enough to have the Legitimate Act of Resignation, and the Investiture of the General in the Civil Government finished and Published before the Time marked in the Military Orders for taking the Oaths, without which the Secretary of the Colony informd me the Obedience of the Judicial and Municipal Bodies, or the Inhabitants at large could not be required, as they could not take Notice of a Military Order addressed to the Garrison alone. I felt therefore great Satisfaction at being thus enabled to obviate such a Difficulty.

ordered the Proclamation to be Publishd the Same Evening—the 20th.

I am now preparing to return to England in Obedience to my Orders, and I hope all the Official Papers will be ready in the Course of a Week, But I am in some Doubt how I shall be able to gett a Passage, as the Admiral has declined giving me one, even to St. Helena, in any of the Men of War on this Station. I shall however avail myself of the first Opportunity that Offers, in Obedience to His Majestys Commands, as I Conceive It to be His Pleasure that I should do So, hoping only, that as I am not, as usual, allowed a Man of War for this Purpose, the Expence of my Passage will be allowed me. I have &c.

(Signed) GEO. YONGE.

[Copy.]

*Letter from MAJOR GENERAL DUNDAS to the
MARQUIS WELLESLEY.*

CAPE OF GOOD HOPE, 25th Aprth 1801.

MY LORD,—I do myself the honor of acquainting your Lordship that having received a letter from the Right Honorable Henry Dundas Principal Secretary of State directing me in pursuance of the King's commands to take upon me the Government of this Settlement until the arrival of Lord Glenbervie who has been appointed the Successor of Sir George Yonge I on the 20th Instant was invested with the necessary powers to act as Governor accordingly.

I have likewise the honor to add for Your Lordship's information that I think it will be but a short time before His Excellency the new Governor of the Cape will arrive since it is stated to me in Mr. Dundas's letter before mentioned dated the 14th January last that the Ship appointed to carry out Lord Glenbervie was perfectly ready for sea. I have &c.

(Signed) FRANCIS DUNDAS.

[Copy.]

*Letter from MAJOR GENERAL DUNDAS to LORD CLIVE,
Governor of Madras.*

CAPE OF GOOD HOPE, 25th April 1801.

MY LORD,—I think it necessary to acquaint your Lordship that having received His Majesty's commands through the Right Honorable Henry Dundas Principal Secretary of State to take upon me the Government of this Colony in consequence of the resignation of Sir George Yonge until such time as Lord Glenbervie who has been appointed Governor of the Cape of Good Hope shall arrive I was on the 20th Instant invested with the necessary powers to enable me to act accordingly.

I am to add for Your Lordship's information that the new Governor Lord Glenbervie is daily expected to arrive at the Cape.

I have &c.

(Signed) FRANCIS DUNDAS.

[Original.]

*Letter from MR. WILLIAM DUCKITT to the RIGHT HONOURABLE
HENRY DUNDAS.*

CLAPMUTS FARM, CAPE OF GOOD HOPE,
April 26 1801.

HONRD SIR,—Since I last had the honor to write to you I have visited most of the land Situated within Two Days Journey of the Cape and I have great pleasure in assuring you there is an Immense Quantity of it Capable of producing any sort of Grain if properly Cultivated. The Husbandry is shocking, half Ploughing at the best, and I have heard of the produce being fifty and Sixty for One, which Clearly Demonstrates the Fertility of the Soil. They seldom sow the same land more than Two Years having no bounds to their Lands, and therefore *nature must do all*. The ploughs are so badly Constructed that from the Month of Sept^r. to May they Cannot plough, Consequently when the Seed ought to be Depositing

in the land they can only begin to plough, all who see and hear of my having ploughs at Work are astonished but the new Invented Scuffle is the most Coveted, if I had an Hundred now ready, I could Dispose of them in one Week, it is Considered by all who have seen it Work that it will enable every Farmer to sow more than Double the Quantity with One Third less strength. This great Prospect of Advantage to Government and every Individual Induces me to take the Liberty of Humbly requesting you will be pleased to lett me have the Sole Vending of the implements I have introduced in this Colony for the Space of Seven Years, I am Certain no farmer will be without One or Two, and at a Moderate premium it wou'd Essentially serve me, and Interest Government, it wou'd encrease Energy much more, and as it was my Intention to have taken out a Patent for my new Invented Drill, had I remained in England, I trust Sir you will take this request into Consideration. At present my Prospects of Success are not very flattering. The Commissary has declared nothing but force shall induce him to Assist me in furnishing His Majesty's Troops nor will he even Pay when it is due agreeable to the stipulation in the Contract Altho' the Difference between the Terms offered and what is now given will benefit Government in the Two Years upwards of 100,000 rix Dollars it is not Considered worthy of encouragement. The places which I hold for that Convenience as well as to furnish fresh Pasture for the Cattle Employed in rotation on the Clapmuts farm, I am led to Expect will be taken away from me, And I am also informed the Slaves which Sir George sent me are to be recalled, this Mr. Barrow asserted in the Morning, and in the Afternoon I received Orders to return four, which I shall do without Hesitation. It therefore Appears to me that there is little Care remains among the Heads of the Department respecting the Improvement of the Colony or the Benefits of His Majesty's Service. I must Confess that the Cause of great Envy Originates from my having taken the Contract and broke the Chain of a Connection attempting to impose upon Government.

I considered when I had the honor of waiting on you with Sir George Yonge that Exclusive of my Salary, *provided* I liked the Appearance of the Country, I was to have a Grant of land and the Quantity named was One Thousand Acres, and therefore when I so unexpectedly heard Sir George was to be recalled, I sent in a Petition for such lands which at present yield little or no profit

to Government. Principally under Water but Contiguous to Cape Town, But with attention in two or three Years may yield some Profit, Sir George caused them to be Surveyed and Intended to have fulfill'd the Engagement entered into at Wimbledon, But before the Burgher Senate gave in their report he had not power to Arrange it. Having the Honor Yesterday of waiting on His Excellency Major General Dundas respecting the Agricultural Department I was Surprised to be informed that His Excellency knew nothing of my Situation. I explained the whole as far as lay in my power but it did not appear Satisfactory. It therefore becomes Necessary that my Situation and your Intentions in sending me out, should be Properly Explained from home to this Government and I hope Sir you will by the Earliest Opportunity Signify the same. The Security for my Wife in the Event of my Death is unfortunately Omitted which is of Serious Consequence but I trust you will direct that to be Executed.

I have sown nothing yet but the time is Expected to Commence next month when rain is looked for by Old farmers, who are nearly Certain about the Weather. I hope if I am properly assisted and not robbed of the Strength Sir George furnished me with, to set a good Example next Season to the Public, on the Contrary it must have a bad Effect, and I am sorry to say every Effort is Making by the first leading Men to overturn the Good Intentions design'd by Sir George whose attention to General Improvements was indefatigable for which he has the Thanks of the Public. I Consider it is your wish I shall go on as rapidly as Possible, not Confining Myself to One Spot, for that Cannot answer. Sir George can point out the Situation of the land I now have, and must Unavoidably hold, for the use of Government, and therefore I recommend you to have his Opinion, after which Sir I hope you will do me the favour to send Instructions how I am to proceed, I am Extremely Anxious for more hands to Cultivate all the Government Places which are good and Extensive and thereby be Able to attain the Great Object desired. The Heavy Expence is now Over, and in a short time an Ample return will be made, and be assured Sir in a very few years altho' there Exists at present a Scarcity it will be over Burthen'd with Corn, The Land is Good and an Immense Quantity. The Season to work is short, which is against it, the Implements also shocking, but when Implements which can Work in the Dry Season with half the

Number of Cattle are Introduced leaving them only to sow in the three Months the Difference will be beyond all Calculation.

I sent an Account of other Necessary tools which will be wanting and begged for hands of all Descriptions to be sent, which I hope if not done you will be pleased to forward and be assured Sir it must Answer on a large Scale.

I hope this will find you and your good Lady and family well I am happy to say all in my Department have enjoyed much better health than I could expect. I have &c.

(Signed) WILLIAM DUCKITT.

Advertisement.

Notice is hereby given that in consequence of Letters Patent under the Great Seal of the United States of America, bearing date at Philadelphia the 22nd day of February 1799, having been received by Mr. John Elmslie appointing him Consul for the said United States, at the Cape of Good Hope and the Dependencies thereof, that the aforesaid Mr. John Elmslie is accepted and acknowledged as such by the Government of this Colony.

Castle of Good Hope 28th April 1801.

By Command of His Honor the Lieutenant Governor.

(Signed) A. BARNARD, Secretary.

[Copy.]

Proclamation by His Honor MAJOR GENERAL FRANCIS DUNDAS, Colonel of His Majesty's Scotch Brigade, Governor of Carrickfergus in Ireland, Lieutenant Governor, Acting Governor and Commander in Chief of His Majesty's Castle, Town and Settlement of the Cape of Good Hope in South Africa & of the Territories and Dependencies thereof, & Ordinary & Vice Admiral of the same.

Whereas it has been represented to me by the Supreme and special Commission for regulating the Consumption of Grain in

this Colony that if a general permission were given to the farmers and others dwelling in the Corn and distant Districts of this Settlement to kill Game, without any prohibition or limitation of time, it would among other salutary effects enable them to bring into the Stores of Cape Town a very considerable quantity of Grain more than the present restriction will allow them to do. And whereas all measures for relieving the inconveniences attending the present scarcity of grain in the Colony demand my first and most serious attention after due consideration of the said representations laid before me, and of the important purposes therein stated, I have thought fit and expedient to order, and by virtue of the powers in me vested it is hereby accordingly ordered, that from the date of these presents it shall be permitted to the farmers and others dwelling in the Country Districts of this Settlement and in such parts of the Cape District as lie beyond the distance of six hours or thirty miles of Cape Town to kill Game at all Seasons of the Year without Licences or any prohibition or restriction. And I do further order and declare that it shall not be lawful for any person or persons within the aforesaid distance of Six hours or Thirty miles of Cape Town, to kill any species of game except under such limitations, restrictions and conditions as are contained in the orders and regulations laid down on that subject by the ancient Government, and specified and set forth in the proclamation of the 15th of July 1800.

It is moreover my positive order that no licence money shall in future be levied upon persons applying to the Secretary's Office of the Colony or to the Landdrost of Stellenbosch, for permission to kill Game within the aforesaid distance of Cape Town, it being required only that the said permission be written upon the usual Stamp.

Given under my Hand & Seal at the Castle of Good Hope this 30th day of April 1801.

(Signed) FRANCIS DUNDAS.

[Office Copy.]

*Letter from the RIGHT HONOURABLE LORD HOBART to
MAJOR GENERAL DUNDAS.*

DOWNING STREET, 1st May 1801.

SIR,—As Sir George Yonge will undoubtedly have left the Cape of Good Hope long before this Dispatch can reach you, it is necessary I should convey to you my sentiments upon the most important Points adverted to in the Letters I have received from him of the dates mentioned in the Margin, Copies of which will, I conclude, have been left in your hands with the official correspondence of the Government of the Settlement.

With respect to the Prisoners tried by the Courts of Justice for open Rebellion in the District of Graaf Reinet, it appears to me Matter of extreme Surprise that any Delay should have been permitted in carrying into Execution the Sentence passed by the Court, after a solemn and regular Trial, upon the Several Persons convicted not only by the most clear and indisputable Proofs, but by their own Confession. The Crimes of which they have been convicted, and the State of the Colony, called for immediate and exemplary Punishment, and no Grounds have been stated on which that punishment has been suspended. I am therefore to desire that, unless the Law has already been suffered to take its Course, or unless the Reasons for the respite which has been afforded, shall appear to you to be sufficiently urgent to authorize a Reference to this Country, you will give immediate orders for the Sentences pronounced by the Court to be carried into Execution without further delay.

I am aware of the manifest defects of the present System of the Administration of Justice at the Cape, and it is not surprising that British Subjects should submit to the decrees of it with reluctance, but as it would be highly inexpedient to make any Alteration at present, the British Subjects at the Cape must be amenable to the Laws of the Settlement, as they now stand, until the whole Subject can be considered and revised, and some better Judicial System be substituted in lieu of the present defective Establish-

ments. In order to remove any doubt that may be entertained whether a British Subject residing at the Cape can *de jure* claim an Exemption from the Laws of the Settlement as long as His Majesty shall think proper that they shall continue in Force, and in order that a Question of such Importance may be explained to you as fully as possible, I herewith inclose to you, for your Information, a Copy of a Report of His Majesty's Attorney and Solicitor General to the Duke of Portland, dated 15th October 1798, on the Occasion of a reference from the Governor of Martinique on a similar Occasion.

In the case of Mr. Green, as stated by Sir George, I am inclined to think that this Gentleman not having married in the Colony, the Right to the Property in question cannot, with Propriety, be referred to the Principles of Dutch Law. But I should hope you will be able to settle the matter between the Parties without invoking the Necessity of an Appeal to legal Decision in this Country, where it must otherwise be ultimately decided.

I am by no Means disposed to enter entirely into the Apprehensions which seem to be felt by the Commissioners in Graaf Reinets with regard to the Caffre Chief Guyka. The various interested Motives that operate with the persons who transmit the Reports from that Quarter will be too well known to you to render it necessary for me to say more than that I think these reports ought not to be too readily credited.

The annual Circuits to be made by two Members of the Court of Justice, according to Sir George's Letter of the 5th of January, cannot fail to produce very beneficial Effects. Justice will undoubtedly be administered in a manner more consonant to the Law, and more satisfactory to the Inhabitants, than by the Decisions of the local Magistrates, who may or will be supposed to be influenced by Partialities and Prejudices. This consideration, indeed, appears to me to have so much Weight, that I would recommend that care should be taken that on these occasions the latter should not act as Judges or Jurors, but be simply considered as public Accusers.

From the Zeal and Judgement manifested by the Fiscal on every occasion, I have no doubt that the plan he has undertaken to prepare for the Regulation of the Circuits will be as satisfactory as the present situation of the Colony will admit of in an Arrangement of this Nature.

I cannot avoid noticing the Escape of the Prisoner sentenced to be banished for life to Port Jackson. The pretended Mistake of the Officer should have been, and if omitted to have been, should be, even now, strictly investigated and severely punished. The Consequences of such Negligence may be very serious, and I am afraid this is not the first instance of the kind.

I need scarcely recommend that Care should be taken that Mr. Eyles, at Algoa Bay, should be properly instructed in the manner of furnishing Supplies for Fort Frederick. The Mode by which he obtains his Cattle should be public, under the Sanction of Government, and with the particular and immediate knowledge of the officer commanding at Algoa Bay. You must be well aware of the Inconvenience and trouble such a traffic might otherwise create.

Sir George Yonge's observations on the Enormous Extent of the Loan Lands, and the Evils necessarily resulting from the defects of the System according to which they are at present managed, appear to me to be very just, and however applicable that System might have been in the early periods of the Settlement of the Colony, it must now become extremely detrimental to its increasing Prosperity. I should therefore be glad to receive from you, as soon as the subject can be completely investigated and examined in all its different bearings, a detailed Report and Plan for the future Management and Leasing out of these lands, as you must be sensible that without the Advantage of these Materials, it is impossible to convey any Instructions, or to frame any practical Regulations, either to correct existing Abuses, or to extend and improve this important Branch of the public Revenue.

With regard to the present Arrears due on these Lands, some immediate means should be adopted for enforcing the payment of them; for, considering the immediate Advantages derived by the Farmers from the free Market, both of sale and purchase which they have enjoyed since the Surrender of the Colony, these Arrears cannot, I apprehend, have arisen from Inability to pay, but from a very inefficient Mode of collecting the Revenue.

The Explanation Sir George Yonge has given of Mr. Bianchi's present Situation renders it quite unnecessary that any further aid should be furnished to him by the public.

Mr. Prediger having died on his Passage, and nothing appearing from the papers transmitted by Sir George Yonge to implicate the

Persons accompanying him, in the charges alleged against him, they have been released and ordered to quit these Kingdoms. This instance affords a striking Proof that too much caution cannot be observed in admitting Foreigners, most particularly French, into the Settlement under your charge.

The Conduct of the Missionary Van der Kemp appears very reprehensible; all persons of this Description should, in like manner, be attended to with great Circumspection.

In the present Situation of the Naval Resources of the Enemy, no great Apprehension need be entertained of their detaching any Force sufficient to endanger the Safety of the Cape, and I trust, with great Confidence, to your Zeal and Activity for the Continuance of the internal Tranquillity, and the Security of that valuable and important Settlement. I have, &c.

(Signed) HOBART.

[Office Copy.]

Letter from the RIGHT HONOURABLE LORD HOBART *to*
MAJOR GENERAL DUNDAS.

DOWNING STREET, 2nd May 1801.

SIR,—I herewith transmit to you the Copy of an Order of His Majesty in Council dated the 11th of February last, in conformity to the tenor of which you will not fail to issue a Proclamation for the purpose of imposing on all Goods, Wares and Merchandize not of the growth, produce or manufacture of Great Britain or Ireland, which shall be imported into the Settlement of the Cape of Good Hope or the Territories or Dependencies thereof, from any part of His Majesty's Dominions, a Duty of Five per Cent on the value thereof, to commence from such period (exceeding Six Months from the Publication of your Proclamation) as you shall judge reasonable and proper, and to be rated and collected in the same manner as is in use with regard to the Import Duties now levied at the Settlement from all Ships and Vessels belonging to the Subjects of Countries and States in amity with His Majesty, and upon all Goods and Merchandize imported in the same. I have, &c.

(Signed) HOBART.

2 1 2

[Office Copy.]

*Letter from the RIGHT HONOURABLE LORD HOBART to MAJOR
GENERAL DUNDAS.*

DOWNING STREET, 2nd May 1801.

SIR,—Accounts have reached me by different channels which, though of a private nature, are apparently entitled to the fullest credit, of a variety of Abuses having taken place under the Government of Sir George Yonge, tending to the Injury and Vexation of the Inhabitants of the Colony, the prejudice of the Interests of this Country, and greatly affecting the honor and character of the British Government, I am induced to direct your attention to the several objects contained in the enclosed Minute, with a view in the first instance to remedy the Evils and correct the Abuses therein stated, and for the purpose, in the next place, of enabling me to judge, if such an Enquiry shall not previously have been instituted, how far it may be advisable to recommend to His Majesty to institute an Enquiry of a very serious nature into the conduct of Sir George Yonge and the Persons supposed to be connected with him in the transactions referred to. Under this Impression, it would be desirable that the Documents with which you may have it in your power to furnish me, where they are not of a public and official nature, should be verified upon Oath if circumstances will admit of it, and I have only to add that I am perfectly satisfied that you will be governed in your Proceedings upon this important subject by a due regard to the Interests of the Colony and the welfare and credit of the British Government, as well as a just and impartial attention to the Individuals who may be implicated in the object of your Investigation. I have, &c.

(Signed) HOBART.

[Enclosure in the above.]

Minute.

The different Circumstances which have been stated respecting the alleged Misconduct of Sir George Yonge, and those connected with him, may be comprised under the following Heads.

1st. An Infraction of the 8th Article of the Capitulation under which the Colony was surrendered to His Majesty, namely in imposing new Taxes and augmenting those already established, particularly in the instances of Licences for killing Game and for Billiard Tables; in extending the Stamp Duties; and by a new Tax on Grain and Spirits, to the great dissatisfaction and Injury of the Inhabitants.

2ly. A Breach of His Majesty's Instructions, in granting to improper Persons the most injudicious and oppressive Monopolies, a part of the Emoluments of which are stated to have been converted to his own private Benefit—the Contract which was given to Mr. Duckitt and two other persons of known bad character, in direct opposition to the opinion of the Commissary General, for supplying the Troops with Butcher's Meat, appears to be of this description; and the exclusive privilege which was given to Mr. Peters, with two Persons named Walker and Robertson, of cutting Wood at Plettenberg Bay and of selling the same at Capetown, is another instance of the same nature. The Stipulation with Mr. Duckitt for the Supply of Butcher's Meat being that the Price to be paid shall be the same as the Market Price of Capetown, and that it shall fluctuate with the fluctuations of the Market, is in itself of a very suspicious and objectionable Nature, but if it be further true, as is stated, that in order to enable the Contractors to commence their Speculation, the Governor caused the enormous Sum of 64,000 Rixdollars to be advanced out of the public Treasury to Mr. Duckitt and his Partners in the Contract, that he caused a considerable number of Cattle, purchased with the public Money, to be delivered over to them, and that they alone were put in possession of all the Grazing Farms in the neighbourhood of Capetown, the Governor having for this purpose dismissed the Persons by whom they were held without satisfactory reasons for that Measure; and if it should appear, as is positively stated, that the combined effect of these Arrangements would be to give the complete Monopoly over, and Command of, the Meat Market at Capetown to Mr. Duckitt, he would not only be enabled arbitrarily to increase the Price of Meat to the Inhabitants, but as a necessary consequence according to the terms of his Contract, proportionably to raise the price at which he was to supply the Government. Such a Combination of Circumstances would certainly afford a strong Presumption of a Breach of Duty on the part of Sir George.

Yonge, in entering into such a Contract in Opposition to the Opinion and Remonstrances of the Commissary General, and in placing in the Hands of two men so notoriously disaffected as Messrs. Sebastian van Reenen and Jacobus van Reenen (Partners with Mr. Duckitt in the Contract), the power of interfering with the regular supply of the Market in an Article of so much Importance. It will therefore be necessary that this Transaction should be very minutely investigated, and that Suspicion of Corruption or Fraud should either be completely removed, or, if possible, so traced as to leave no doubt as to the Parties to whom the Guilt of it may attach. The same observation will apply as to the mode adopted for supplying Capetown and its Vicinity with Wood of every description, in which the greatest Abuses are stated to have been practised by Mr. Peters and Messrs. Walker and Robertson. In this Case also a large Sum of Money is said to have been advanced by the Governor to the Parties, and by the effect of the Monopoly the Price is stated to have been raised one third, to the great Injury of the Inhabitants and of His Majesty's Service. As connected with this subject, the Price paid to Messrs. Walker and Robertson for a Vessel said to be hired under the pretence of carrying Provisions to Algoa Bay will require particular Investigation; the principal purpose and use of this Vessel, as it appears, having been to bring Cargoes of Timber from thence for the private Account and Benefit of Messrs. Walker and Robertson. Such Provisions as were requisite appear indeed to have been carried by this vessel from the Cape to Algoa Bay, but at an Expence exceeding in the proportion of eight to one that by which they had till then been sent by the Commissary General, and consequently affording a strong presumption, with other Circumstances, of fraud on the part of the Contractors, and of Corruption on the part of those by whom such a Contract could be made or sanctioned.

3ly. In diverting from the Fortifications and other public Works the Government Slaves employed thereupon, and in granting the use of them and other property belonging to the public to the persons above mentioned, for their private use and Emolument.

4thly. A lavish and unnecessary Expenditure, and improper use of the public Money and Stores, namely in the Creation of new, unnecessary and vexatious Offices, in open Breach of his Instruc-

tions, such as Commissioners of Woodlands, Commissioners of Corn, Tasters and Deputy Tasters of Wines and of Brandies, Keepers of Canteens, as well as other Employments not particularly specified, and in the Erection of new and expensive Buildings, many of them for private purposes, and all in direct violation of the Minute of the Lords Commissioners of the Treasury of the 28th November 1764.

5thly. By receiving from Mr. Hogan, and appropriating to his own Use, a Sum, reputed to be £5000 Sterling, for permission to import into the Cape 800 Slaves. This Charge has been distinctly brought forward from many Quarters, all of which concur in stating that there can be no doubt of procuring complete Evidence of the Fact.

In addition to these Charges two other Transactions which, if the Information upon the Subject be correct, involve in considerable Guilt not only those who were concerned in them, but even those who sanctioned or connived at them, if by their public Situation it was in their power to prevent or punish such Enormities, require particular Investigation. These two transactions are :—

1st. The Circumstances attending the Captures made by the Privateer the *Collector*, and the Cargo of Slaves with which that Privateer returned to the Cape. Of the latter, not less than 90 out of 250 are said to have perished from Want of Water on their short Passage from Mozambique, where they had been illegally obtained, to the Cape. The guilt of all the Parties directly or indirectly concerned in the illegal and piratical Proceedings of this Privateer is so enormous, the steps taken against her pretended Prizes were so tardy and reluctant, that coupling these circumstances with that of none of the avowed Delinquents having been prosecuted, it is impossible not to wish to see removed the Suspicions that have in consequence arisen, as it is trusted they will be by a full Investigation.

The second point which calls for Enquiry arises out of the Capture of the *Chesterfield* Whaler, and the mysterious Departure first from the Cape, and then from St. Helena, of the *Lady Yonge*, supposed to be engaged in a similar pursuit with the *Chesterfield*, and having Mr. Peters, one of the Persons above mentioned, on board.

The Surmizes that are afloat that the Governor and his Secretary

were interested in these Ships and privy to their Proceedings are so very discreditable, and would involve them in consequences so very serious, that the Subject cannot be too soon enquired into and sifted to the Bottom.

[Original.]

*Letter from MR. JOHN PRINGLE to MAJOR GENERAL
DUNDAS.*

CAPE TOWN, 2nd May 1801.

SIR,—Enclosed I beg leave to transmit for your information copies of various Documents received by me from the Governor in Council of St. Helena, by which you will perceive the reasons why the supply of Chinese Articles destined for the use of this Colony have not been forwarded from thence.

I have only to add that as it is evident no blame whatever attaches to any branch of the Hon'ble East India Company's service for this failure, every thing dependant upon them having been done, I request you will inform me whether it is the intention of His Majesty's Government in this Colony to maintain the Principles on which Sir George Yonge seems to have acted, in order that the necessary Steps may be taken to bring a question of so much Importance to a final issue, or whether I shall understand that the Supplies are in future to be brought and admitted into the Colony without any Impediment. I have &c.

(Signed) JOHN PRINGLE,
Agent to the Hon. E. I. Company.

[The enclosures, which are lengthy, merely show that Sir George Yonge would not allow goods from the East to be landed without his previous license being applied for and given, which the agents of the East India Company at St. Helena would not ask for, as they held it to be an interference with the Company's rights.]

[Copy.]

*List of Civil Appointments made during the Administration
of the late Governor SIR GEORGE YONGE.*

Date of Appointment.	Name.	Nature of the Appointment.	Salary.	By whom paid.
1800.				
13 Jan.	Mr. R. Blake	{ Private Secretary to Sir George Yonge }	£1200	{ By the Civil Paymaster in Sterling
18 Aug.	Mr. R. Blake	{ Examiner and Taster of Cape Wine and Brandy }	500	{ By His Majesty's Receiver General in Paper Cur- rency of the Colony
18 Aug.	Mr. A. de Waal	{ Deputy Examiner and Taster of Cape Wine and Brandy }	200	Do.
18 Aug.	Mr. C. D. Wentzel	{ Clerk to the Exam- iners and Tasters of Cape Wine }	100	Do.
20 Aug.	Lieut. McNab.	{ Master of the Can- tine in the Castle }	200	Do.
20 Aug.	Lieut.-Col. Cockburn	{ Master of the Cantine in the Barracks of Cape Town }	200	Do.
1 Sept.	Lieut. Lazenby	{ Master of the Can- tines at Simons Town and Muizen- burg }	120	Do.
1 Sept.	Lieut. M. Holburn.	{ Master of the Can- tine at Wynberg }	60	Do.
1801.				
1 Mar.	Mr. Somerville	{ Deputy Resident Commissioner of the District of Graaff Reinet }	200	Do.
1 Mar.	Mr. Daniel	{ Secretary to the Commissioners of the District of Graaff Reinet }	100	Do.
			£1680	

Date of Appointment.	Name.	Nature of the Appointment	Salary.	By whom paid.
1800.				
27 Dec.	Mr. J. H. Greene.	{ Inspector of the Government Granaries }	£200	{ Out of the Surplus of the Money arising from the Sale of the Grain.
27 Dec.	Mr. O. Bergh.	Inspector of Do. Do.	200	Do.
27 Dec.	Mr. A. Fleck	{ Storekeeper and Treasurer to the Granaries }	300	Do.
27 Dec.	Mr. T. Faire	Secretary to Do. Do.	100	Do.
			£800	

(Signed) A. BARNARD, Secretary.

[Copy.]

Return of additional Military Appointments by SIR GEORGE YONGE, Baronet, K.B., &c., &c., during his late Government, paid at this office.

PAY OFFICE, CAPE OF GOOD HOPE, 6th May 1801.

31 December 1799.	Lieut-Col. Cockburn, Deputy Barrack Master General	£547 10 0
31 December 1799.	Capt. Lt. G. P. Tucker, Assistant Do.	182 10 0
31 December 1799.	James Maynard, Secretary	182 10 0
1 February 1800.	J. Squibb, B.M. Cape Town	91 5 0
1 February 1800.	Lt. Lazenby, B.M. Simons Town	91 5 0
22 March 1800.	F. Wilson, Assistant B.M., Cape Town	36 10 0
1 January 1801.	Lt. Holburn, B.M. at Muisen- berg.	91 5 0
		£1222 15 0

[Office Copy.]

Letter from the RIGHT HONOURABLE LORD HOBART *to* MAJOR GENERAL DUNDAS.

DOWNING STREET, 9th May 1801.

SIR,—His Majesty having judged it expedient for His Service to appoint Lord Glenbervie to the office of Joint Paymaster of His Forces, at the moment when his Lordship was on the point of proceeding to the Cape of Good Hope in consequence of his nomination to the Government of that Colony, and it having been stated by Lord Glenbervie that he had incurred considerable expence for the purpose of filling that situation in a manner suitable to its respectability and consequence, and that having held the office of Commissioner of the Treasury he had vacated that office upon His Majesty's having thought proper to place him in the Government abovementioned.

I have therefore received the King's Commands to signify to you it is His Majesty's pleasure that as an indemnification for the expence and losses so incurred you do remit to Lord Glenbervie the sum of £2931 10 1½, being the proportion of Salary of the Governor of the Cape of Good Hope at the rate of £10,000 per annum from the 9th of December 1800, the day on which Lord Glenbervie ceased to be entitled to Salary as Commissioner of the Treasury, until the 23rd of March last, the period of his Lordship's appointment to the office of Joint Paymaster of His Majesty's Forces, and that you are to charge the same on the Revenue of the Settlement. I have, &c.

(Signed) HOBART.

[Copy.]

Letter from MAJOR GENERAL DUNDAS *to* MR. JOHN PRINGLE.

CAPE TOWN, 12 May 1801.

SIR,—I have to acknowledge the receipt of your letter dated the 2nd Instant together with certain papers and copies of a correspondence which has taken place between the late Governor of the

Cape Sir George Yonge and the Governor and Council of St. Helena upon the subject of a prohibition lately made by authority of this Government with respect to the importing China Goods intended by the Hon'ble East India Company for the supply of this Settlement, and have to acquaint you in reply thereto that no new Instructions having been received from His Majesty's Ministers so as to alter in any way the practice heretofore established by His Majesty's Order in Council dated 28th December 1796 for supplying the Cape with Goods from India or China I am totally at a loss to assign any cause for Sir George Yonge's refusal to permit in the usual manner the landing of the China Goods from St. Helena destined for the Cape. The previous license from Government here required by Sir George Yonge appears to me unnecessary, and as far as I am able to judge the step taken by the late Governor in not suffering the China Goods to be landed as stated in the forementioned correspondence will be considered irregular if not an infringement of a privilege of the East India Company never before questioned to import Goods into this Settlement agreeable to the Indents transmitted by their agent here.

Being of opinion that the Inhabitants of this Colony will suffer great inconvenience in consequence of depriving them of the requisite supply of Stores and commodities from China I have to request that you will adopt such measures as are necessary or in your power in order that the Stores landed from the China Ships and deposited in the Warehouses at St. Helena for the purpose of supplying this Settlement may be forwarded by the first proper or favorable opportunity. I am &c.

(Signed) FRANCIS DUNDAS.

[Office Copy.]

*Letter from the RIGHT HONOURABLE LORD HOBART to MAJOR
GENERAL DUNDAS.*

DOWNING STREET, 16th May 1801.

SIR,—I transmit to you by the King's Commands a Copy of an Order of the Lords of His Majesty's Most Honorable Privy Council containing directions for the disposal of the Perishable Parts of the Cargoes of such Russian, Swedish or Danish Ships as have been

or may be brought into any of the Ports, Harbours or Roads of any of the Forts and Settlements belonging to the Crown of Great Britain and Ireland or into any of His Majesty's Colonies, Islands and Plantations; and I am to signify to you His Majesty's Pleasure that you are to take care that the said Order be duly carried into execution within the Settlement of the Cape of Good Hope. I am, &c.

(Signed) HOBART.

[Original.]

Letter from VICE ADMIRAL CURTIS to EVAN NEPEAN, ESQRE.

CAPE OF GOOD HOPE, 16th May 1801.

SIR,—His Majesty's Sloop the *Penguin* arrived in Simons Bay on the 13th instant, after a very long passage from England of Thirteen Weeks and Five Days.

By this Vessel I received the following Orders. One of the 15th January to detain and bring, or send into the nearest Port belonging to His Majesty, all Ships of War, or Vessels of any description belonging to the Powers of Russia, Denmark and Sweden. And also printed Orders from their Lordships to the same effect, and addressed generally to the Captains and Commanders of His Majesty's Ships and Vessels.

An Order dated 30th January, to take the *Penguin* under my Command. The above Orders shall be duly attended to. . . .

I am &c.

(Signed) ROGER CURTIS.

[Copy.]

Letter from VICE ADMIRAL CURTIS to the MARQUIS OF WELLESLEY.

CAPE OF GOOD HOPE, 16th May 1801.

MY LORD MARQUIS,—By the *Mornington* Packet which arrived here on the 13th instant I received your Lordship's Letter of the 1st March.

In the 6th Paragraph your Lordship informs me, that "you

deemed it necessary to give me the earliest information of the necessary change of your measures, in order to obviate the inconvenience of my acting in conformity to the plan of operations which your Lordship communicated to me in your Dispatch of the 26th of January."

By my Letter of the 23rd April (the original of which was confided to Mr. Durand in the American Ship the *Elizabeth*, and the Duplicate sent by the Ship *Suffolk*) your Lordship will be informed that conformably to your urgent request I had sent two Ships for the purpose of joining the Armament from India destined to act against the Isle of France, although I thereby had only one Ship remaining in the Colony. And I must confess that owing to the intelligence received of the intentions the French Government had of sending a Naval and Military Force to Isle France, I did not dispatch these Ships without apprehension for their safety; but ardently desiring to assist your Lordship's views to the utmost of my power, and as your Lordship moreover intimated to me it was possible the Armament would be attended by only the Armed Ships of the East India Company, I was induced to adopt the measure. In order to comply with your Lordship's desires I was under the necessity of sending the Ships as speedily as possible after I got your Letter; and I hope your Lordship will pardon me for presuming to observe, that as a Ship in her passage from Calcutta to me must pass over more than Three Thousand Leagues, there can be no obviating the inconveniences that arise to the Services I have to perform, by a change of the measures your Lordship proposed, and for the furtherance of which I had made the requisite arrangements. Indeed the immense distance there is between us, the length of time required for communication, and the consequent probability of circumstances occurring on either part, to frustrate any projected scheme, render the prosecution of any Enterprize extremely hazardous, the success of which depends on a junction at a given time, and the co-operation of Forces to be sent from India and the Cape of Good Hope.

In your Lordship's Letter to which I am now replying you acquaint me that events may arise which may occasion the expedition against Isle France to be again resumed, and possibly between the Months of May and August, and that in such case your Lordship relies with confidence upon such assistance from me as I may be able to afford. In answer to this I can safely say,

there is not a Man existing more ardently desirous than I am to use every possible exertion for promoting the public Service. But the Month of May is now far advanced, and I have only two Ships in Port, the *Tremendous* and *Adamant*, the former so crippled by her very long cruize off Rio de la Plata that, with my resources here, it will be some time before she will be ready for Service; and the latter altogether in so bad a state that she is fit for no Service at all. The two Ships that are now cruising off the Island of Rodriguez to meet the Armament from India in compliance with your Lordship's wishes have directions to continue there until the end of June (beyond which time it would be impossible for them to remain), and in case they heard nothing of the Armament at that period, they have directions to repair to the Cape. If therefore General Baird or Colonel Wellesley should proceed for Isle France by way of Rodriguez, before the end of June, they will be joined by these Ships. But in case they should not, your Lordship must plainly see these Officers can have no assistance from my Squadron.

Your Lordship being desirous that the earliest and most authentic information should be conveyed to Major General Baird and Colonel Wellesley, both with respect to the Isle of France, and to the means which I may possess of co-operating with the force to be eventually employed for its reduction; and your Lordship having put the *Mornington* Packet under my orders for that purpose, I shall send her directly to Mocha, with a Dispatch addressed (as your Lordship desires) to the Officer Commanding the British Troops on the Coasts of the Red Sea, to the care of Mr. Charles Stokes, or, in his absence, of the Company's Broker at Mocha. In the Dispatch I shall send a Copy of the Letter I wrote conformably to your Lordship's request, to be sent to Batavia, a Copy of which I transmitted to your Lordship with my Letter of the 23rd of April: These two Letters containing all the information, on every point, that it is in my power to communicate.

The Commander of the *Mornington* agreeably to your Lordship's desire shall be directed to take from Mocha such Dispatches as Mr. Stokes, or the Company's Broker may deliver for the Governor General in Council, and to proceed with them from Mocha with all practicable expedition to Calcutta. I have &c.

(Signed) ROGER CURTIS.

[Copy.]

*Letter from MAJOR GENERAL DUNDAS to the MARQUIS
OF WELLESLEY.*

CAPE OF GOOD HOPE, *May 17th 1801.*

MY LORD,—I have the honour to acknowledge the receipt of your (most secret) Dispatches dated the 1st and 2nd of March, which arrived here the 13th instant, brought by the *Mornington* Packet, addressed to His Excellency Sir George Yonge, but delivered into my hands by Mr. Pringle, and avail myself of an opportunity which now offers by the sailing of the *Nutwell* for India, of giving an early reply to the several points contained in your letters of the 1st and 2nd of March as above mentioned, which I shall proceed to notice in the order in which they stand.

2. I have already had the honour of communicating to Your Lordship, in my letter of the 26th of April, the departure of a Squadron of His Majesty's Ships from here commanded by Sir Home Popham, which sailed in two Divisions, one on the 28th of February and the other on the 30th of March last, having on board them a Detachment from this Garrison of about 1200 Men including Officers, composed of a Troop of the 8th Regiment of Light Dragoons, one Company of Artillery, and the 61st Regiment of Foot; all of whom will I hope reach their place of destination in the healthful state in which they embarked, having been provided here with every article necessary to enable them immediately to take the field, and being a very fine Body of well disciplined Soldiers, I am confident their exertions if properly directed will greatly contribute to the success of the Expedition, which your Lordship has informed me His Majesty's Ministers have in view against the Enemy in Egypt, and in which it is intended your Lordship should assist from this side of the Red Sea.

3. Having informed your Lordship, in the foregoing part of this Dispatch, of the number and condition of the very effective Detachment which, in pursuance of His Majesty's Commands, has been furnished for the service of India from the Garrison of the Cape, and which has been as yet slenderly replaced by the 65th Regiment from England, consisting of about 600 untrained Boys, it is I presume unnecessary to say much in order to convince Your

Lordship how improper it might be considered in me the complying at present with your request of sending one Regiment of Infantry to India, in addition to the 61st Regiment and those which have been so lately sent there from the Cape by His Majesty's Commands; but I must beg to be permitted to state, as a further reason for my noncompliance with your Lordship's commands upon this occasion, that, as it appears, the Dispatch from Mr. Secretary Dundas directing your Lordship to co-operate with Sir Ralph Abercromby for the purpose of expelling the French from Egypt is dated the 6th of October 1800, and as the letters which I received by Sir Home Popham, in consequence of which the Detachment from hence for the Red Sea was placed under his orders, left England nearly two months subsequent to the Orders your Lordship received, (in the month of December) but brought me no Instructions for a further reduction of our forces at the Cape, nor anything which could be construed a discretionary power vested in me upon that head, I leave your Lordship to judge whether, under these circumstances, my taking the step you have desired, which would unquestionably expose the safety of this Settlement to hazard, would be an act in my power hereafter to justify; since it is evident from what I have had the honour of mentioning to Your Lordship that such diminution of the Military force at the Cape has not been in the contemplation of His Royal Highness the Commander in Chief or His Majesty's Ministers.

4. As I am persuaded that your Lordship has been by this time informed of the extreme difficulties the Inhabitants of the Cape, as well as the Troops in Garrison, have for some time past laboured under from a scarcity of Bread, owing to the almost total failure of the last Crop, your Lordship will have been induced to abandon your expectation of obtaining any supply of wheat and Flour at present from this Settlement; however, such of the other specified articles of Provisions as this Country is able to afford, every possible exertion will be used to procure, and though salted Beef and Pork are not usually obtainable here, yet as it fortunately happens that there is a considerable quantity of salted Provisions in store here which has lately arrived from England for the use of His Majesty's Naval and military service, a portion of what your Lordship has required will be sent, with all possible expedition, in a vessel which has been already hired to carry the Provisions, agreeable to your Lordship's wishes, to the Port of Mocha in the

Red Sea; care being taken in instructing the Commander of the Ship to obey the directions he may receive from Mr. Charles Stokes, appointed at Mocha for the purpose of forwarding the supplies from thence to the places of their destination.

5. However willing, and indeed anxious, I should be upon all occasions to meet your Lordship's wishes and to obey your commands, yet my duty requires me to apprise you that should further Reinforcements to the Army proceeding to the Red Sea become necessary, such is the composition of the Garrison of the Cape, no effectual aid in Troops is at present procurable from it, two Regiments only, the 8th Light Dragoons and the 81st Regiment, being in a condition to take the field, the other Corps which form the Garrison are composed chiefly of Boys unfit for immediate or active service, and who if sent to India in their present state would infallibly deceive your Lordship's expectations and disappoint the public service.

6. Your Lordship may rest assured that the resources of this Government, such as they are, shall be employed to the utmost, as soon as I shall receive further intelligence from you, in order to assist the operations carrying on under your Lordship's orders in the Red Sea, though your Lordship will perceive from the contents of this Dispatch how very limited the means are at present, by which it is in our power to contribute to your success.

7. To the questions proposed in your letter dated the 2nd of March I am to state for your information on the several points in answer as follows.

Answer to Question 1st. The quantity of Salt Provisions specified in the List A will be furnished from the Cape, as has been mentioned in fourth Paragraph of this letter, but in consequence of the very inconsiderable and insufficient Crop of the last Harvest and present scarcity in the Colony in consequence of it, Grain cannot be procured to be sent to India. Such quantity of the other articles as the Country is able to afford will be sent, though the quantity of Dried Fruits procurable is uncertain. The Prices of the Articles to be purchased here will be transmitted as soon as possible. The Salted Beef and Pork having been paid for in England and sent out for the use of the Troops in Garrison, their value cannot be ascertained at the Cape.

Answer to Question 2nd. Bullocks for Draft could be purchased at the Cape, at the rate of 30 to 40 Rix Dollars each, but the

number of Horses has been so greatly diminished by a distemper which has raged for some months past, and proved fatal to almost all the Horses belonging to the Farmers in the Country Districts, that it would be extremely difficult and expensive the obtaining at this present time any number of Horses for supplying the Army in India.

Answer to Question 3rd. The quantity of Tonnage to be obtained at the Cape depends upon the shipping which may have accidentally arrived and are in Port at the time their services are required, therefore no previous accurate calculation can be made of what may be expected from the Government of the Cape at any particular time with respect to Ships for the public service.

Answer to Question 4th. A voyage from the Cape of Good Hope to the mouth of the Red sea cannot, it is understood here, be made except at the proper season of the year, during the Westerly Monsoon, which commences here about the middle of May, and ends about the beginning of October, the length of the Voyage being, as it is said, usually from six weeks to two months, but it is thought by some who are competent to judge of it, that the measure proposed of supplying Draft or Carriage Cattle by Sea from the Cape of Good Hope, for the use of the Army in the Red sea, would be attended with so much difficulty and delay, that if resorted to will in all probability prove delusive and ineffectual.

Answer to Question 5th. No Suggestions occur here at present which could prove useful, or acceptable, as to the means to be sent from the Cape for assisting the operations in the Red Sea; it having been demonstrated that it is impossible to afford any important assistance and co-operation in the present circumstances of the Colony of the Cape.

8. All expences which shall be incurred here on account of the Army in the Red Sea will be carried to the account of the Crown, and such Bills as are requisite will be drawn upon the Governments in India, in conformity to your Lordship's commands, as signified in your letter to Sir George Yonge of the 2nd of March, on that head.

9. Copies of the Amounts of all Expenditures which may be made in consequence of the requests contained in your Lordship's Dispatch, will be transmitted to your Lordship by the first favourable opportunity.

10. I took an early opportunity of consulting with Vice Admiral

Sir Roger Curtis upon the subject of your Dispatches, who appears to regret no less than I do, a want of ability to provide, in a more ample manner, such things as might tend to promote the views of your Lordship and His Majesty's Government at home, in the projected attack upon the French in Egypt and our Enemies upon the Coasts of the Red Sea.

11. I shall be careful of transmitting to Mr. Secretary Dundas a Copy of Your Lordship's Letters of the 1st and 2nd of March last, together with a copy of this letter which has fallen to my lot to have the honour of writing and addressing to Your Lordship in reply thereto. I have &c.

(Signed) FRANCIS DUNDAS.

[Original.]

Letter from VICE ADMIRAL CURTIS to EVAN NEPEAN, ESQRE.

CAPE OF GOOD HOPE, 17th May 1801.

SIR,—I shall now proceed to detail to you for the information of their Lordships the Naval occurrences here since my Letter of the 23rd ultimo.

It was indispensably necessary to make a new Main Mast for the *Tremendous*, which we have now in hand. It is a heavy job for us, and it is with difficulty we muster Spars sufficient for the purpose. We are become very short of this Article, so that I hope the long expected *Hindostan*, or some other Storeship, will soon arrive. The *Tremendous* is found rotten in the Buttocks in several places, and is generally much shaken, but she will according to our means be put in the best order possible. I am at present directing all my attention to getting the *Tremendous* fit for Service, as she must again go to relieve the *Jupiter* off Rio de la Plata. Having been directed to keep a Cruizer off that River in consequence of the probability of a French Squadron being to touch there, according to the intelligence sent by Mr. Walpole from Lisbon in March 1800, in order to watch its motions, and having received no subsequent instructions from their Lordships on the subject, I feel myself not at liberty to annul the appointment without their Lordships' authority for so doing.

It is my intention to take every thing out of the *Star* and

thoroughly to inspect her, that her real condition may be clearly ascertained, and if it be found she is so much decayed in her Timbers as by former less accurate examinations was apprehended, I will send her to England.

The Disposition of my Squadron is the same as stated in my last Letter dated 23rd ultimo.

The *Mornington* Packet arrived here from Calcutta on the 13th instant, bringing dispatches dated the 1st and 2nd of March from the Marquis of Wellesley to the Governour of this Colony and to myself.

His Lordship in his Letter of the 1st March informs me of his having received on the 6th February His Majesty's Commands through Mr. Secretary Dundas, by Letter dated the 6th of October, to send a force to the Red Sea; and that by the same Dispatch he was apprized of the Destination of the Armament under the Command of Sir Home Popham, which occasioned him to abandon his projected enterprize against the Isle of France, which he deemed it necessary to apprise me of, in order to obviate the inconvenience of my acting in conformity to the plan of operations which he communicated to me in his Dispatch of the 26th January. But by my Letter of the 23rd ultimo, their Lordships will see that I sent two Ships from hence in consequence of his Lordship's most urgent representations, which sailed on the 7th April. These Ships will therefore be to cruize (fruitlessly in every view) off the Island of Rodriguez in the Indian Ocean (the point of junction marked out by his Lordship) until the end of June, at which time not meeting with the Armament from India, they were to return to the Cape.

The Marquis of Wellesley however, in his Letter of the 1st March, informs me that circumstances may occur in the Red Sea, which may facilitate the resumption of the Expedition against the Isle of France, and in that event he relies with confidence upon assistance from me. His Lordship says that (affairs in the Red Sea allowing of it) General Baird and Colonel Wellesley will be prepared to direct the force under their Commands against the Isle France; and they may be expected to move from Mocha between the Months of May and August.

Here I observe, that setting aside the impossibility of my assisting his Lordship's views in this object from the state and Disposition of my Squadron, the Month of May is now far

advanced; and their Lordships will at once see the impossibility of forming a junction at a given point, where Ships can only remain a very short time, when the time of the arrival there of the Force they are to join might be any day within Four Months.

His Lordship very properly deeming it of importance that General Baird and Colonel Wellesley should have the earliest information with respect to the state of the Isle France, and the means I may possess of co-operating with the force to be employed for its reduction, has directed the Commander of the *Mornington* to obey any orders he may receive from me, and I shall therefore instantly send that Packet to Mocha with every information to the above Officers that it is in my power to furnish.

With the Governour General's Letter to me of the 2nd March, his Lordship sent me the Copy of the Letter he wrote of the same date to the Governour of this Colony. His Lordship's Letter to the Governour respected the furnishing the Army in the Red Sea with succours and supplies from this Colony, and his Lordship's Letter to me was to desire my co-operation with the Governour to the same end. General Dundas has replied to the Letter written to the Governour; and I have assured his Lordship every exertion shall be made on my part on all occasions to promote the wishes and views of his Lordship.

The Marquis of Wellesley's Letters to me before referred to are so long that I cannot now send Copies of them, nor of my Replies, without detaining the *Rattlesnake* from proceeding to St. Helena, which I deem improper, as the Dispatches for the Governour may be of great importance, but I will send Copies as soon as possible, as I much wish their Lordships to be in possession of the whole of the correspondence between his Lordship the Governour General and me. I am, &c.

(Signed) ROGER CURTIS.

[Copy.]

*Letter from VICE ADMIRAL CURTIS to the MARQUIS OF
WELLESLEY.*

CAPE OF GOOD HOPE, 17th May 1801.

MY LORD MARQUIS,—By the *Mornington* Packet I had the honour on the 13th instant to receive your Lordship's Letter of the 2nd of March, accompanied with a Letter of the same date from your Lordship to His Excellency the Governour of this Colony.

To the 2nd Paragraph of your Lordship's Letter to me above-mentioned, I have generally to declare, that in all cases where the Force under my Command, or the Stores of every kind belonging to the Naval Department can be made useful for the benefit of the Public interest in India, I shall cheerfully apply the same for that important purpose to the utmost of my ability. But as your Lordship has before now become acquainted with the strength of my Squadron—the Services it has to perform, and also informed in my Letter of yesterday of the present state and Disposition of my Ships, your Lordship will see upon the whole how limited my means are, for the various Services your Lordship has relied upon my performing. But be assured my Lord, as far as I may be enabled to do it, I will on every occasion, most zealously and cheerfully, conform to every wish of your Lordship for the general good.

In the 3rd Paragraph of your Lordship's Letter, you desire information of me respecting certain Questions contained in the 7th Paragraph of your Lordship's Letter to the Governour of this Colony, referred to above; and to the best of my Judgment, according to the knowledge I have been able to acquire on the several heads, I shall reply to these questions in the order in which they stand.

To the First Question. There is no Salted Provisions of any kind cured in this Colony: Provisions of this nature are therefore sent from Europe for the use of His Majesty's Ships and the Garrison, and in such quantities as are deemed necessary for the same. His Majesty's Naval Stores here are at present very amply furnished with Salted Provisions, and I think I could now supply from them Two Hundred Thousand Pounds of Beef and One Hundred Thousand Pounds of Pork. It is to be remembered however I am now speaking of the Stock of Salted Provisions we have

at *this present time*; and that my Power of Supplying will henceforward diminish proportionably. By the assistance we have been under the necessity of claiming from India on account of the great distress we are in for want of Bread, and which before now must have come to your Lordship's knowledge, your Lordship will see, that no dependance can be placed in obtaining from this Colony, supplies of Grain of any kind.

To the Second Question. It is thought the difficulties attendant on furnishing from this Colony any Horses or Bullocks for the purposes of the Expedition are such, that the measure is next to being impracticable. For, exclusive of other objections; if they leave this Colony during the S.W. Monsoon in the Red Sea it is thought the Vessels containing them could not enter that Sea: and if they were to proceed towards the Red Sea in the N.E. Monsoon, the voyage from hence must necessarily be so circuitous and long, the Cattle would either perish, or be rendered unfit for Service. It is said that from Bombay, and other parts of the Continent to the Northward of it, Cattle may be sent to the Red Sea in three weeks during the N.E. Monsoon.

To the Third Question. There can be no reliance placed in the being able to obtain Shipping in this Colony, as occasion may require, for the conveyance of Articles that it may be desirable to send from hence. For as there is no Shipping belonging to the Colony, Vessels are only attainable as they happen to arrive; and it is also probable Vessels may arrive under such circumstances that they cannot be taken into the Public Service. Your Lordship in your Letter to the Governour here has given a list of Articles you wish to be sent to Mocha: Several of these Articles are not to be obtained here, and for such of them as can be acquired, there can be no Vessel procured that is capable of carrying but little more than One hundred Tons. It will be very dangerous therefore to *depend* upon Shipping being procurable in this Colony.

To the Fourth Question. See the remarks on the 2nd Question.

To the Fifth and last Question. It does not occur to me that in reply to this Question, any thing can be added to what has been offered in answer to the other Questions. I have &c.

(Signed) ROGER CURTIS.

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Author Theal, George McCall (ed.)

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